



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 111<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 155

WASHINGTON, WEDNESDAY, JANUARY 7, 2009

No. 2

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. TAUSCHER).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
January 7, 2009.

I hereby appoint the Honorable ELLEN O. TAUSCHER to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord our God, gathered together as Members of the 111th Congress, we are ready to work for the good of this Nation. Called by Your voice and the will of free people, make us attentive to Your word. Being restless in our world, grant us Your peace.

Whatever their diverse needs, let us respond the best we can. Having found common ground in this Nation's history and principles of this sound government, guide us to accomplish deeds of justice and good order for all our citizens.

We commend ourselves and this Nation to You, as the shepherd and guardian of our souls, now and forever.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Arkansas (Mr. BOOZMAN) come forward and lead the House in the Pledge of Allegiance.

Mr. BOOZMAN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to the following resolution:

#### S. RES. 8

In the Senate of the United States, January 6, 2009.

Whereas Claiborne Pell represented the people of Rhode Island with distinction for 36 years in the United States Senate, from 1961 to 1997, and was the longest-serving Senator in Rhode Island's history;

Whereas Claiborne Pell served in the United States Coast Guard and the Coast Guard Reserve, beginning in 1941 and retiring in 1978 with the rank of Captain;

Whereas Claiborne Pell participated in the 1945 United Nations Conference on International Organization that established the United Nations, and was a champion of the United Nations throughout his life;

Whereas Claiborne Pell served as a Foreign Service Officer from 1945 to 1952;

Whereas Claiborne Pell sponsored the legislation that, in 1965, created the National Endowment for the Arts and the National Endowment for the Humanities and, in 1966, created the National Sea Grant College and Program;

Whereas Claiborne Pell's vision led to the creation of an improved passenger rail system in the Northeast and across the United States;

Whereas Claiborne Pell believed that economic means should not be a barrier to a higher education and sponsored legislation creating the Basic Educational Opportunity Grants in 1972, which were renamed "Pell Grants" in 1980;

Whereas Pell Grants have helped 54,000,000 people in the United States secure a higher education;

Whereas Claiborne Pell sought to expand educational opportunities throughout his tenure as a member and as Chairman of the Senate Subcommittee on Education, Arts and Humanities;

Whereas Claiborne Pell served as Chairman of the Senate Committee on Foreign Relations in the 100th through 103rd Congresses;

Whereas Claiborne Pell was a champion of human rights who devoted himself to promoting a peaceful resolution to international conflict and the elimination of the threat of nuclear weapons; and

Whereas the hallmarks of Claiborne Pell's public service were unsurpassed respect, decency, and civility: Now, therefore, be it

*Resolved*, That—

(1) the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Claiborne Pell, former member of the United States Senate;

(2) the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased; and

(3) that when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Claiborne Pell.

The message also announced that the Senate agreed to the following joint resolution:

S.J. Res. 3. Joint resolution ensuring that the compensation and other emoluments attached to the office of Secretary of the Interior are those which were in effect on January 1, 2005.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

### STAND FOR THE RULE OF LAW, NOT THE RULE OF FORCE

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Madam Speaker, we cannot truly celebrate a new year, a

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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new Congress and a new administration if all we see is the same old destruction in the Middle East with U.S. weapons being illegally used to kill children.

I oppose Hamas' rocket attacks on Israel. The rocket attacks, even to try to end the blockade, have no moral justification, are illegal, and must stop. But how can Israel claim self-defense when it bombs Gaza, which has no army, no air force, no navy, and has been under a constant blockade? How can Israel claim self-defense when its bombs destroy U.N. schools, killing children?

The children of Palestinians and the children of Israel both deserve life. But the lives of the children of Gaza are cynically discounted as human shields. Massacres are being rationalized. Israel's "moral high ground" in Gaza, a growing pile of small bones in a graveyard.

The administration knows Israel is using U.S. weapons, paid for by U.S. taxpayers, with disproportionate force, creating a collective punishment of Gazans, assuring an escalation of conflict, clear violations of the Arms Export Control Act.

Israel was given U.S. weapons on condition they would not be used for aggression or escalation. This outgoing administration must finally stand for the rule of law, not the rule of force.

#### IN MEMORY OF SERGEANT JOHN PENICH, U.S. ARMY

(Mr. BOOZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOOZMAN. Madam Speaker, I rise today to honor a brave American soldier who sacrificed his life for freedom, Sergeant John Penich.

Sergeant Penich, by all accounts, was an extraordinary soldier whose hard work and determination earned him the title of Soldier of the Year in 2007 for his brigade. His bravery was evident in combat on several occasions. Brigadier General Perry Wiggins has said he knows of three separate instances when Sergeant Penich saved the lives of his comrades.

According to newspaper reports, one of his final acts of bravery came on September 6, 2008, when his patrol was attacked by rocket-propelled grenades and small-arms fire. He showed his courage under fire, taking charge and reestablishing security and saving the lives of his platoon members. His heroics on that day earned him a Silver Star, the third highest honor given to members of the armed services for valor.

Five and a half weeks after he earned the Silver Star, he gave the ultimate sacrifice. Sergeant Penich put himself in harm's way to make the world a better place.

His commitment to this country is second to none. He wanted to be an officer, and there's no doubt we would have benefited from this young man's tremendous leadership abilities.

Sergeant John Penich is a true American hero. I ask that my colleagues keep his family and friends in their thoughts and prayers during this very difficult time.

#### CONGRESS MUST WORK TO SAVE AND CREATE JOBS DURING THESE UNCERTAIN TIMES

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Madam Speaker, last year, nearly 2 million Americans lost their jobs. Almost half of those job losses came in October and November, after the financial collapse of Wall Street.

The December jobs numbers will be out in a couple of days, but it is not likely to be good news. All month long retailers were saying that they had to lay off seasonal help because Americans simply were not spending their money. And that's not surprising, considering that many of our constituents are justifiably concerned about their job security. Even those that are confident that they will hold on to their jobs are feeling financially squeezed because they are being paid less than they were 10 years ago.

As the 111th Congress begins this week, we are committed to getting Americans back to work and preventing further job cuts from happening later this year. We also want to provide middle class Americans with tax relief so they can better afford their monthly bills.

Madam Speaker, as change comes to Washington, we should work in a bipartisan manner to pass an economic recovery package quickly. We cannot afford to wait.

#### A NEW YEAR

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, this year we should work immediately to address the challenges facing our Nation. Recent job losses and a decline in the housing market have led many Americans to lose confidence in our economy. I am optimistic, however, that sound bipartisan solutions that support small businesses and provide tax relief to American families will mean a quicker recovery and less of a burden on future generations of taxpayers.

As we expand opportunities for job creation, Congress should promote an all-of-the-above energy strategy. We cannot sustain our expensive and strategically dangerous dependence on foreign oil.

While there remain enemies who threaten our freedoms, I am grateful that our fighting men and women remain committed to their duty. We must defeat terrorists overseas to pro-

tect American families at home. We must always honor our military and veterans.

I am confident that we will lead our Nation toward greater prosperity and security if we trust and invest in the ingenuity and spirit of the American people with limited government.

In conclusion, God bless our troops, and we will never forget September the 11th.

#### ECONOMIC RECOVERY PLAN INVESTS IN AMERICA'S FUTURE

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Madam Speaker, at a time of great economic anxiety, this new Congress faces enormous challenges. In the next 6 weeks we're going to craft and hopefully pass an economic recovery package that will create and save millions of jobs and will help jump start our economy with investments in some of our Nation's top priorities.

At a time when millions of Americans are losing their health insurance, Washington needs to provide critical assistance to States so that they can continue to provide health care services through Medicaid. If Congress does not act, States will have no other choice than to begin dropping coverage. That is an immediate health care concern that we should deal with as part of any economic stimulus package.

But we also have an opportunity to modernize our health care system with new computer technology that will greatly reduce health care costs and will improve care for every American.

Madam Speaker, I look forward to working with all of my colleagues in crafting a bipartisan plan that will help rebuild our economy so that we can get people back to work.

#### SELF DEFENSE AGAINST RELIGIOUS EXTREMISM

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, the radical hate group Hamas in Gaza has refused to renew a truce with Israel. It has begun once more firing thousands of Iranian-made rockets into Israel. Numerous Israelis have died in the last 11 days.

Hamas wants to annihilate Israel because, well, they're Jews. Hamas kills people that aren't radical Muslims like themselves. That's why they're called terrorists.

Hamas cowardly hides among civilians for cover, fires rockets, then is indignant if Israel defends itself. But Israel has moved into Gaza to find these bad guys.

Some world leaders, rather than mounting pressure on Hamas to stop the rocket attacks, are calling for a ceasefire, even a unilateral withdrawal

of Israeli forces from Gaza. In other words, peace at any price.

Peace ought to be a goal, but not at all costs. Actually, some things are worth fighting for. Now is not the time for unrealistic, hopeful idealism. Lives are on the line.

Men may cry peace, peace, but there can be no peace as long as Hamas kills in the name of religion.

And that's just the way it is.

#### RULE CHANGES BY THE MAJORITY

(Mr. GINGREY of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY of Georgia. We had two Members, Madam Speaker, speak this morning on the issue in the Gaza Strip. I tend to agree with my colleague on this side of the aisle, Mr. POE, and tend to disagree with my colleague on the other side of the aisle, the Democratic Member, Mr. KUCINICH.

But I did want to point out something, the analogy between what he said and what happened on the floor of this House yesterday in regard to changing the rules package. Mr. KUCINICH said, in regard to the proportionality and Israel's response to Hamas and the Gaza Strip, we ought to abide by the rule of law, rather than the rule of force.

Well, I would say the same thing to the Democratic majority in regards to the rules change yesterday. You have a 40-vote margin, and you come in and you change the rules, and all of a sudden you weaken your PAYGO initiative so that you can declare spending an emergency to avoid PAYGO.

You said when you took control in the 110th that this business of holding a vote open for 3½ hours, breaking arms to change a vote, should never occur. You wanted to eliminate that, and now you say that's okay; we can do that.

I would say to my Democratic majority, despite those rules changes, for the sake of the American people, I hope my colleagues on the other side of the aisle come to recognize the need to include all voices in the legislative process.

#### PAYCHECK FAIRNESS ACT AND THE LILLY LEDBETTER FAIR PAY ACT

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Madam Speaker, this week, this Congress will take up two tremendously important bills that will work towards ending discrimination against women who still earn 78 cents to the dollar. We hope to get it to the Senate, pass it in the Senate and have it on President Obama's desk as one of the first bills for him to sign.

The Paycheck Fairness Act could be called the Free Speech Restoration Act because one of its features simply ensures that employees have the right to

give out personal information on how much they make without being fired. Some of our corporations say, if you tell anyone how much you make, you will be fired.

The second, the Lilly Ledbetter Fair Pay Act, says that you can no longer cap damages. You cannot cap the amount of time that a person can be discriminated against. The Supreme Court held that if you did not bring a case within 180 days about pay discrimination, you could never bring it. So for 18 years, Lilly Ledbetter was discriminated against, and this Supreme Court said she could not bring suit. This Congress is changing that with this bill.

I urge a "yes" vote on these important bills.

□ 1015

#### MAINTAINING AMERICA'S PROSPERITY AND DEMOCRACY

(Mr. MCCOTTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCCOTTER. When the House last met in December, in the dying days of the 110th Congress, thanks to the leadership of the Speaker and of the chairman of Financial Services and of the people of this body, we sent a rescue package for the auto industry over to the Senate. Unfortunately, the Senate did not allow it to come up for a vote. Fortunately, President Bush and the administration offered and extended a bridge loan to the auto industry to keep the hardworking men and women employed and to keep America's manufacturing sector vital. We did not rejoice.

We understand that restructuring is necessary and that it will be painful. It will intensify and it will continue, but we also vow to do what we need to do to ensure that America keeps its engine of prosperity and its arsenal of democracy. We will prove the doubters wrong.

#### DEMOCRATS LOOK TO PROVIDE TAX RELIEF TO 95 PERCENT OF AMERICANS

(Mr. PERLMUTTER asked and was given permission to address the House for 1 minute.)

Mr. PERLMUTTER. Our Nation is facing some of the worst economic conditions in decades. By the end of next year, our economy could fall \$1 trillion short of its full capacity. That is a loss of \$12,000 of income for every family in America. We cannot continue on this same economic course. Congress must take bipartisan action in the coming weeks to improve our economy both in the near term and down the line.

Economists tell us that we must act in bold terms—that we must invest in new technologies and, most importantly, that we must invest in the American people.

Congress should work with President-elect Obama to craft a targeted and fiscally responsible economic recovery package that invests in the middle class families by providing them with tax relief during these uncertain times.

Madam Speaker, it's going to take time to turn this economy around, but we should start the process immediately so that all Americans can once again live the American dream.

#### THE COOPER-WOLF SAFE COMMISSION: A BIPARTISAN SOLUTION

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Madam Speaker, I have never been more concerned about the short-term and the long-term budget shortfalls we face as a Nation.

Yesterday, President-elect Obama said we have trillion-dollar deficits for years to come even with the economic recovery we're working on. Whatever stimulus package, rumored to top \$700 billion, is brought to the House floor for a vote, Congress has an historic opportunity to work in a bipartisan way.

There is a plan already on the table that has garnered the support of over 100 Members of the House. It is the bipartisan plan that Congressman COOPER and I have that puts every spending program on the table and that sets up a bipartisan commission of eight Republicans and eight Democrats.

If this Congress does not pass this, then no Member ought to be able to go home and give the traditional Rotary speeches about how concerned they are for your children and for your grandchildren of the country. The real issue is, with trillion-dollar deficits, if we don't deal with the entitlement issues, we will fail.

#### DEMOCRATS LOOK TO PROVIDE TAX RELIEF TO 95 PERCENT OF AMERICANS

(Ms. WATSON asked and was given permission to address the House for 1 minute.)

Ms. WATSON. Madam Speaker, the current economic recession is putting a lot of pressure on American families. Today, millions of our constituents are fearful that they could lose their jobs any day now.

Last night, my sister told me that she lost hers in New York. They've seen family members or work colleagues already let go, and they are uncertain about their futures. They are also working for less money than they did 10 years ago. Yet they face skyrocketing bills for their children's education, for health care and for their own groceries. They hear the bleak economic forecast on the news every night, and they're looking for help. We all know that the U.S. economy is in trouble, but now the question is: What are we going to do about it?

Democrats and Republicans must come together to pass a robust economic recovery package that includes tax relief to middle class families so we can begin to relieve the pressure that they feel every time they pay a bill.

Madam Speaker, the American people are looking to us for help and for help to jump start this economy. Let's go to work.

#### THE NEED FOR BIPARTISANSHIP IN THIS ECONOMIC CRISIS

(Mr. ADLER of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. ADLER of New Jersey. Madam Speaker, last year, our economy experienced the weakest employment growth since the Great Depression, causing more and more families across the country to feel financially strapped. The U.S. economy lost hundreds of thousands of jobs in the first eleven months of 2008, and we heard bad news this morning about December's reports. The employment rate last year reached the highest level since 1993, and it could get worse, and those who managed to keep their jobs are experiencing stagnant and falling wages.

Americans are concerned about their futures as debts continue to mount, as bills pile up and as parents worry that their children won't have the same opportunities they had. Small businesses are an integral part of getting this economy moving again. We must ensure that we take appropriate action to assist small businesses and to restore our economic engine of growth. Small businesses represent the backbone of this country and of America's unwavering entrepreneurial spirit.

Madam Speaker, we must address our economic challenges quickly, and we must work in a strong bipartisan fashion to relieve the financial strain Americans feel every day. We must work immediately to pass an economic recovery package.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 7, 2009.

Hon. NANCY PELOSI,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 6, 2009, at 5:13 p.m.:

That the Senate agreed to S. Res. 2.  
That the Senate agreed to S. Con. Res. 1.  
That the Senate agreed to S. Con. Res. 2.  
With best wishes, I am

Sincerely,

LORRAINE C. MILLER,  
Clerk of the House.

#### PROVIDING FOR A JOINT SESSION TO COUNT ELECTORAL VOTES

The SPEAKER pro tempore laid before the House the following privileged Senate concurrent resolution:

S. CON. RES. 1

*Resolved by the Senate (the House of Representatives concurring),* That the two Houses of Congress shall meet in the Hall of the House of Representatives on Thursday, the 8th day of January 2009, at 1 o'clock post meridian, pursuant to the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, and the President of the Senate shall be their Presiding Officer; that two tellers shall be previously appointed by the President of the Senate on the part of the Senate and two by the Speaker on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter 'A'; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

#### PROVIDING FOR CONTINUATION OF JOINT COMMITTEE TO MAKE INAUGURATION ARRANGEMENTS

The SPEAKER pro tempore laid before the House the following privileged Senate concurrent resolution:

S. CON. RES. 2

*Resolved by the Senate (the House of Representatives concurring),* That effective from January 6, 2009, the joint committee created by Senate Concurrent Resolution 67 (110th Congress), to make the necessary arrangements for the inauguration, is hereby continued with the same power and authority provided for in that resolution.

SEC. 2. Effective from January 6, 2009, the provisions of Senate Concurrent Resolution 68 (110th Congress), to authorize the rotunda of the United States Capitol to be used in connection with the proceedings and ceremonies for the inauguration of the President-elect and the Vice President-elect of the United States, are continued with the same power and authority provided for in that resolution.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

#### REAPPOINTMENT AS MEMBERS OF JOINT COMMITTEE ON INAUGURAL CEREMONIES

The SPEAKER pro tempore. Pursuant to Senate Concurrent Resolution 2,

111th Congress, and the order of the House of January 6, 2009, the Chair announces the Speaker's reappointment of the following Members of the House to the Joint Congressional Committee on Inaugural Ceremonies:

Ms. PELOSI, California  
Mr. HOYER, Maryland  
Mr. BOEHNER, Ohio

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

#### PRESIDENTIAL RECORDS ACT AMENDMENTS OF 2009

Mr. TOWNS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 35) to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 35

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Presidential Records Act Amendments of 2009".

#### SEC. 2. PROCEDURES FOR CONSIDERATION OF CLAIMS OF CONSTITUTIONALLY BASED PRIVILEGE AGAINST DISCLOSURE.

(a) IN GENERAL.—Chapter 22 of title 44, United States Code, is amended by adding at the end the following:

#### “§ 2208. Claims of constitutionally based privilege against disclosure

“(a)(1) When the Archivist determines under this chapter to make available to the public any Presidential record that has not previously been made available to the public, the Archivist shall—

“(A) promptly provide notice of such determination to—

“(i) the former President during whose term of office the record was created; and

“(ii) the incumbent President; and

“(B) make the notice available to the public.

“(2) The notice under paragraph (1)—

“(A) shall be in writing; and

“(B) shall include such information as may be prescribed in regulations issued by the Archivist.

“(3)(A) Upon the expiration of the 20-day period (excepting Saturdays, Sundays, and legal public holidays) beginning on the date the Archivist provides notice under paragraph (1)(A), the Archivist shall make available to the public the record covered by the notice, except any record (or reasonably segregable part of a record) with respect to which the Archivist receives from a former President or the incumbent President notification of a claim of constitutionally based

privilege against disclosure under subsection (b).

“(B) A former President or the incumbent President may extend the period under subparagraph (A) once for not more than 20 additional days (excepting Saturdays, Sundays, and legal public holidays) by filing with the Archivist a statement that such an extension is necessary to allow an adequate review of the record.

“(C) Notwithstanding subparagraphs (A) and (B), if the period under subparagraph (A), or any extension of that period under subparagraph (B), would otherwise expire after January 19 and before July 20 of the year in which the incumbent President first takes office, then such period or extension, respectively, shall expire on July 20 of that year.

“(b)(1) For purposes of this section, any claim of constitutionally based privilege against disclosure must be asserted personally by a former President or the incumbent President, as applicable.

“(2) A former President or the incumbent President shall notify the Archivist, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate of a privilege claim under paragraph (1) on the same day that the claim is asserted under paragraph (1).

“(c)(1) The Archivist shall not make publicly available a Presidential record that is subject to a privilege claim asserted by a former President until the expiration of the 20-day period (excluding Saturdays, Sundays, and legal public holidays) beginning on the date the Archivist is notified of the claim.

“(2) Upon the expiration of such period the Archivist shall make the record publicly available unless otherwise directed by a court order in an action initiated by the former President under section 2204(e).

“(d)(1) The Archivist shall not make publicly available a Presidential record that is subject to a privilege claim asserted by the incumbent President unless—

“(A) the incumbent President withdraws the privilege claim; or

“(B) the Archivist is otherwise directed by a final court order that is not subject to appeal.

“(2) This subsection shall not apply with respect to any Presidential record required to be made available under section 2205(2)(A) or (C).

“(e) The Archivist shall adjust any otherwise applicable time period under this section as necessary to comply with the return date of any congressional subpoena, judicial subpoena, or judicial process.”

(b) **RESTRICTIONS.**—Section 2204 of title 44, United States Code (relating to restrictions on access to presidential records) is amended by adding at the end the following new subsection:

“(f) The Archivist shall not make available any original presidential records to any individual claiming access to any presidential record as a designated representative under section 2205(3) if that individual has been convicted of a crime relating to the review, retention, removal, or destruction of records of the Archives.”

(c) **CONFORMING AMENDMENTS.**—(1) Section 2204(d) of title 44, United States Code, is amended by inserting “, except section 2208,” after “chapter”.

(2) Section 2207 of title 44, United States Code, is amended in the second sentence by inserting “, except section 2208,” after “chapter”.

(d) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 22 of title 44, United States Code, is amended by adding at the end the following:

“2208. Claims of constitutionally based privilege against disclosure.”

**SEC. 3. EXECUTIVE ORDER OF NOVEMBER 1, 2001.**  
Executive Order No. 13233, dated November 1, 2001 (66 Fed. Reg. 56025), shall have no force or effect.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from New York (Mr. **TOWNS**) and the gentleman from California (Mr. **ISSA**) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. **TOWNS**. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in order to revise and extend their remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **TOWNS**. Madam Speaker, I yield myself such time as I may consume.

H.R. 35, the Presidential Records Act Amendments of 2009, will restore public access to Presidential records. Identical legislation was introduced in the last Congress and passed the House with strong bipartisan support.

The Presidential Records Act of 1978 established that the records of the President belong to the American people, not to the President. It also ensured that these records would be released to historians and to the public in a timely manner.

In an executive order issued in November 2001, President Bush reversed the presumption of disclosure in the Presidential Records Act. The order gave Presidents and former Presidents the ability to delay the public release of records even long after their own deaths. For the first time, it gave former Presidents the ability to assert privilege over their own records.

Today's legislation restores the intent of the Presidential Records Act. It makes clear that only Presidents and former Presidents, not former Vice Presidents or the descendants of Presidents, can make assertions of privilege over records. It gives former Presidents the authority to assert privilege over their own records, but it requires a sitting President or a court to agree with the assertions in order for those records to be withheld from the public, and it sets strict deadlines for the President and former Presidents to review records before they release them to the public. This legislation will prevent former Presidents from withholding embarrassing records, and will allow historians to tell a complete story about Presidential administrations.

I would like to thank the ranking member, of course, from California, Mr. **ISSA**, for his cooperation in moving this measure to the floor very quickly. I would like to thank him for that. I know that we share the same goals of making government more open and less wasteful, and we plan to work together on those goals in a bipartisan manner.

I also thank the previous chairman, Congressman **WAXMAN**, for his work in

the last Congress, who did a marvelous job. Of course, that's the reason why we are able to move very quickly, because of some of the work that he was able to do in the last Congress.

Madam Speaker, I reserve the balance of my time.

Mr. **ISSA**. Madam Speaker, I yield myself such time as I may consume.

The new chairman and I both are assuming these positions after a long period of time of serving in lesser positions on Government Reform, and we come to it, I think, equally with the same vigor, with a vigor to make this committee a bipartisan committee, a committee that works openly between the majority and minority for the purpose of making sure that government works openly for the people who we serve.

□ 1030

I want to thank the chairman today because as we bring three votes from our committee, each of these was shared with the other in consultation, each of them was agreed were necessary and could be moved in a timely fashion today. Each of them will be presented to our conferences as non-controversial, and in fact, ones that should pass unanimously or near unanimously. This is a great start.

I'm particularly pleased with the chairman and myself to be able to offer the first pieces of legislation of the 111th Congress because I expect that this committee will be the most productive committee of the Congress. It is the committee that has the greatest responsibility, as President-elect Obama has said, to make government accountable. We are that committee.

I look forward to it. As the chairman said, this piece of legislation does restore a balance. It is not a balance that's without controversy, but it is a balance that I believe is appropriate.

Additionally, to what is in the language of the bill, which the chairman did a good job of explaining, there is, in fact, a final holdback which is any President asserting some Presidential secret or particular current damage to the government would be able to overcome this legislation, but it will be the burden of the current President, and as the chairman said, the burden of the previous President to make a case for why records should not be made public rather than the other way around.

I look forward to a floor vote on this on a bipartisan basis and urge passage of this bill.

I yield back the balance of my time.  
Mr. **TOWNS**. Madam Speaker, I yield 1 minute to the gentleman from Ohio (Mr. **KUCINICH**).

Mr. **KUCINICH**. Thank you very much, Mr. Chairman.

I look forward to working with you in this upcoming session of Congress and working with Mr. **ISSA**.

I want to thank you for bringing this bill forward. If we truly have government of the people, then there has to be transparency. And not only must

Presidents be accountable, but former Presidents must be accountable. And a system of transparency will ensure accountability, particularly with respect to Presidential records.

Now this legislation will make it impossible for Presidential records to be buried. It's going to set strict time frames in which information has to be released to the public. It is not going to permit former Presidents to have unlimited, broad authority to be able to claim through the existing President executive privilege, and it is not going to enable designees of Presidents to assert claims of executive privilege after the death of a former President.

So this is a very important moment where transparency in government trumps the assertion of executive privilege. That can only be good for democracy.

I want to thank once again Mr. TOWNS for his leadership in bringing this forward as one of the first bills of the 111th Congress.

Mr. TOWNS. Madam Speaker, I yield 1 minute to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. I thank the chairman for yielding.

I look forward to working with Chairman TOWNS, the new Chair of the Oversight and Government Reform Committee, as well as the ranking member, Mr. ISSA.

Let me also say, as an original cosponsor of H.R. 35 and chairman of the Oversight Subcommittee, I am pleased to see the measure presented for consideration by the House today.

Introduced by Chairman TOWNS, this bipartisan bill is intended to promote the timely release of Presidential records under the Presidential Records Act of 1978 by rescinding Executive Order 13233. Issued by President Bush in November 2001, the executive order granted new authority to Presidents, former Presidents, their heirs and designees, and Vice Presidents, allowing them to withhold information from public view unilaterally and indefinitely.

Executive Order 13233 undermines the Presidential Records Act by removing discretion from the archivists of the United States and delaying the release of records that are necessary to give historians and the public a full picture of a President's tenure.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TOWNS. I yield the gentleman 2 additional minutes.

Mr. CLAY. I thank the chairman for yielding.

Madam Speaker, the American people value the importance of transparency and having an open government. Citizens have a right to know how and why important decisions are made at the highest level of government. This straightforward and bipartisan legislation would ensure that this will be the case by requiring Presidential records to be treated as the property of the American people.

I urge all of my colleagues to support the bill.

Mr. TOWNS. Madam Speaker, as we begin a new Congress and a new Presidency, it is time to move away from the policy of secrecy. The President-elect has spoken of a desire for more openness in government. We in Congress share that goal, and this bill is an important step towards a more transparent White House.

I want to thank my colleague from California and his staff and my staff for the work that they've done on this bill. I urge all of my colleagues to support this bill because this is definitely good government, and I think that we need to be about good government because we cannot afford the luxury of waste, fraud, and abuse.

Madam Speaker, I ask all of my colleagues to support this legislation.

Ms. JACKSON-LEE of Texas. Madam Speaker, let me congratulate you for your reelection as Speaker of the House. It is an honor that you have served with great distinction and verve. I look forward to more of your continued leadership in the 111th Congress.

Madam Speaker, I rise today in support of H.R. 35, the Presidential Records Act Amendments, which amends chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records.

H.R. 35 provides that when the Archivist determines to make available to the public any Presidential record that has not previously been made available to the public, and that is not subject to any claim of constitutionally based privilege against disclosure, the Archivist should provide notice of the determination to the former President during whose term of office the record was created, the incumbent President, and make the notice available to the public. The notice must also be in writing. These amendments strengthen the underlying bill.

The Presidential Records Act itself governs the official records of Presidents and Vice Presidents created or received after January 20, 1981, and mandates the preservation of all Presidential records. The act changed the legal ownership of the official records of the President from private to public, and established a new statutory structure under which the President must manage their records.

Specifically, the Presidential Records Act:

Defines and states public ownership of the records.

Places the responsibility for the custody and management of incumbent Presidential records with the President.

Allows the incumbent President to dispose of records that no longer have administrative, historical, informational, or evidentiary value, once he has obtained the views of the Archivist of the United States on the proposed disposal.

Requires that the President and his staff take all practical steps to file personal records separately from Presidential records.

Establishes a process for restriction and public access to these records. Specifically, the PRA allows for public access to Presidential records through the Freedom of Information Act (United States), FOIA, beginning

five years after the end of the Administration, but allows the President to invoke as many as six specific restrictions to public access for up to 12 years. The PRA also establishes procedures for Congress, courts, and subsequent administrations to obtain special access to records that remain closed to the public, following a 30-day notice period to the former and current Presidents.

Requires that Vice-Presidential records are to be treated in the same way as Presidential records.

This bill is important. It was under the Bush administration that the e-mail controversy surfaced in 2007. During that controversy which involved the dismissal of eight U.S. attorneys, congressional requests for administration documents while investigating the dismissals of the U.S. attorneys required the Bush administration to reveal that not all internal White House e-mails were available, because they were sent via a non-government domain hosted on an e-mail server not controlled by the Federal Government. Conducting general government business in this manner possibly implicates the Presidential Records Act. The Bush administration e-mail controversy highlights the need for these amendments and for the bill.

I urge my colleagues to support this bill.

Mr. WAXMAN. Madam Speaker, I thank Representative TOWNS for bringing this bill to the floor. The outgoing Bush administration has an obsession with secrecy that has led it to weaken many of this country's open government laws. Our consideration of H.R. 35, the Presidential Records Act Amendments of 2009, is one important step toward undoing that damage. The bill revokes a Bush executive order, issued in November 2001, which gave broad new authority to Presidents and former Presidents to prevent the release of Presidential records. The order gave former Presidents the ability to pick and choose the records viewed by historians and to shape their legacy through the selective withholding of information.

Under the Presidential Records Act of 1978, these records belong to the American people, not to the president who created them. Today's legislation restores the original intent of the Act and will lead to greater openness and improved understanding of presidential decision-making.

This is not a partisan issue. Similar legislation was first introduced in 2001 by Rep. BURTON. And two years ago, I introduced H.R. 1255 with Reps. BURTON, TOWNS, and PLATTS. I thank them for working with me. The House passed that bill with a strong bipartisan majority. I urge all of my colleagues to support this bill today.

Mr. VAN HOLLEN. Madam Speaker, today, the House considers a bill that amends the Presidential Records Act. This important piece of bi-partisan legislation will help preserve open government, by reversing an executive order issued in the early days of the Bush administration that cut off access to Presidential records for historians and the American public.

Under that executive order, former Presidents and their heirs were given unprecedented authority to withhold or, indefinitely delay, access to documents from the public. And, for the first time, the order extended the authority to assert "executive privilege" to former Vice Presidents.



This legislation reverses that order by stating clearly that only current and former Presidents may assert "executive privilege." The bill also grants current Presidents discretion over whether to support a former President's assertion of privilege and places strict time limits for the current and former President to review records before they are released.

Mr. TOWNS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 35.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. TOWNS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### PRESIDENTIAL LIBRARY DONATION REFORM ACT OF 2009

Mr. TOWNS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 36) to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 36

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Presidential Library Donation Reform Act of 2009".

#### SEC. 2. PRESIDENTIAL LIBRARIES.

(a) IN GENERAL.—Section 2112 of title 44, United States Code, is amended by adding at the end the following new subsection:

"(h)(1) Any Presidential library fundraising organization shall submit on a quarterly basis, in accordance with paragraph (2), information with respect to every contributor who gave the organization a contribution or contributions (whether monetary or in-kind) totaling \$200 or more for the quarterly period.

"(2) For purposes of paragraph (1)—

"(A) the entities to which information shall be submitted under that paragraph are the Administration, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate;

"(B) the dates by which information shall be submitted under that paragraph are April 15, July 15, October 15, and January 15 of each year and of the following year (for the fourth quarterly filing);

"(C) the requirement to submit information under that paragraph shall continue until the later of the following occurs:

"(i) The Archivist has accepted, taken title to, or entered into an agreement to use any land or facility for the archival depository.

"(ii) The President whose archives are contained in the depository no longer holds the Office of President and a period of four years has expired (beginning on the date the President left the Office).

"(3) In this subsection:

"(A) The term 'Presidential library fundraising organization' means an organization that is established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at—

"(i) a Presidential archival depository; or

"(ii) any facilities relating to a Presidential archival depository.

"(B) The term 'information' means the following:

"(i) The amount or value of each contribution made by a contributor referred to in paragraph (1) in the quarter covered by the submission.

"(ii) The source of each such contribution, and the address of the entity or individual that is the source of the contribution.

"(iii) If the source of such a contribution is an individual, the occupation of the individual.

"(iv) The date of each such contribution.

"(4) The Archivist shall make available to the public through the Internet (or a successor technology readily available to the public) as soon as is practicable after each quarterly filing any information that is submitted under paragraph (1). The information shall be made available without a fee or other access charge, in a searchable, sortable, and downloadable database.

"(5)(A) It shall be unlawful for any person who makes a contribution described in paragraph (1) to knowingly and willfully submit false material information or omit material information with respect to the contribution to an organization described in such paragraph.

"(B) The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of subparagraph (A) in the same manner as a violation described in such section.

"(6)(A) It shall be unlawful for any Presidential library fundraising organization to knowingly and willfully submit false material information or omit material information under paragraph (1).

"(B) The penalties described in section 1001 of title 18, United States Code, shall apply with respect to a violation of subparagraph (A) in the same manner as a violation described in such section.

"(7)(A) It shall be unlawful for a person to knowingly and willfully—

"(i) make a contribution described in paragraph (1) in the name of another person;

"(ii) permit his or her name to be used to effect a contribution described in paragraph (1); or

"(iii) accept a contribution described in paragraph (1) that is made by one person in the name of another person.

"(B) The penalties set forth in section 309(d) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(d)) shall apply to a violation of subparagraph (A) in the same manner as if such violation were a violation of section 316(b)(3) of such Act (2 U.S.C. 441b(b)(3)).

"(8) The Archivist shall promulgate regulations for the purpose of carrying out this subsection."

(b) APPLICABILITY.—Section 2112(h) of title 44, United States Code (as added by subsection (a))—

(1) shall apply to an organization established for the purpose of raising funds for creating, maintaining, expanding, or conducting activities at a Presidential archival depository or any facilities relating to a Presidential archival depository before, on or after the date of the enactment of this Act; and

(2) shall only apply with respect to contributions (whether monetary or in-kind) made after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. TOWNS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TOWNS. I yield myself as much time as I may consume.

Madam Speaker, H.R. 36, the Presidential Library Donation Reform Act, will require organizations raising money to build Presidential libraries and their affiliated institutions to disclose the identities of their donors and the amount of their donations. Like the records bill just considered, an identical version of this bill was considered in the 110th Congress and passed the House with strong bipartisan support.

Presidential libraries are becoming increasingly expensive, and fundraising for their construction begins during a President's term. These are broad campuses with museums, conference centers, and other institutions, some of which are entirely separate from the federally run libraries.

According to press reports, it cost more than \$80 million to build George H.W. Bush's library and \$165 million to build the Clinton library. Press reports have suggested that the fundraising target for President Bush's library is \$500 million.

Under current law, individuals, corporations and even foreign interests can make anonymous, unlimited donations to these organizations. Such donations can be made while the President is still in office. There is enormous potential for abuse in this system. Special interests could make multi-million dollar donations to a Presidential library foundation in an effort to influence the President, and the public would remain completely unaware.

In order to prevent real abuse, as well as the perception of abuse, H.R. 36 would require Presidential library foundations to divulge information about their donors while the President is in office and for the several years after the President's term has ended.

I again thank the ranking member, Mr. ISSA from California, for his cooperation on this bill and thank the previous chairman, Mr. WAXMAN, for his work in this as well.

Madam Speaker, I reserve the balance of my time.

Mr. ISSA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I join with the chairman in recommending swift passage through the House for at least the third time. This bill has passed under

multiple authors, both Republican and Democrat. It is, by nature, one in which we believe we are appropriately asserting a daylight requirement on past and future Presidents and would certainly hope that we would view this bill as noncontroversial in most areas.

Madam Speaker, our Nation's Presidential libraries attract millions of visitors each year. They have become elaborate institutions, and the cost of building and maintaining these facilities has grown dramatically.

Under current law, Presidential libraries are built with private funds, then turned over to the Archivist for operation.

Amendments to the Presidential Libraries Act mandated the establishment of an endowment to cover some of the costs of operating the library, which are usually met through the establishment of a charitable organization.

Funding for construction and the endowment comes from private sources. But under current law, no duty to disclose the source of those contributions exists.

On both sides of the aisle, there is strong support for increasing disclosure.

Earlier, under Mr. DUNCAN's leadership, the House passed solid bipartisan legislation to require the disclosure of contributions to organizations that raise funds for Presidential libraries and related facilities. And a bill identical to the bill before us passed the House last year by a wide margin.

We recognize the perception of impropriety that contributions to a Presidential library can raise, given the huge sums that must be amassed, and the attraction this avenue may hold for those seeking favors or influence.

This legislation will provide a needed degree of transparency to that process.

If I may, I am going to yield 2 minutes to the gentleman from Texas (Mr. GOHMERT) for a particular portion of the bill that he feels, before it becomes law, should ultimately be looked at.

Mr. GOHMERT. Madam Speaker, I do appreciate my friend for yielding.

This is a good overall idea. It's a good bill in general. There needs to be more clarity. Many of us have wondered who is building these Presidential libraries, and this will help inform the public just who it is that's doing that.

The concern I have is that there is a provision in the bill for filing errors or omissions that could send somebody to prison for 5 years. Now as a former judge, I've presided over thousands and thousands of felony cases. I have sent I don't know how many people to prison. That's not a concern. My reputation was, as one criminal was overheard telling another, "He will give a fair trial, but if you're guilty, you don't want his court."

I don't have a problem sending people to prison, but one thing, probably the best conservative organization as far as getting out the message, the Heritage Foundation, and the ACLU have actually been in agreement on, this body, almost on whims, throws in a prison sentence as an added provision, and we are having people go to prison who shouldn't. If it is a dollar issue, then fine them 1 million, 10 million, whatever would be appropriate. But we

should not, in this body, continually subject people to being taken down in their home, handcuffed when they made an error that should not be criminalized.

So that is the concern I have. This never went through Judiciary. It has been through prior Congresses. It never went through Judiciary, the Crime Subcommittee, to look at that specific aspect. That is a concern, and it is something that we should not be doing, overcriminalizing provisions, by just sticking that in as an exclamation point. It needs to be well thought through before we provide a way to send somebody to prison.

I appreciate the time. I hope that could be taken out because that is an aspect that's inappropriate.

Mr. TOWNS. Madam Speaker, let me just say to the gentleman that I really share a lot of his views, and I'm willing to continue to work with him in seeing in terms of what we might be able to do to strengthen this legislation.

At this time, I yield 2 minutes to the gentleman from Missouri (Mr. CLAY).

□ 1045

Mr. CLAY. Madam Speaker, I thank the chairman for yielding.

As an original cosponsor of the Presidential Library Donation Act, I rise in strong support of H.R. 36, and I urge my colleagues to vote in favor of it.

Federal election law limits the amount a single source can give to a political campaign and requires that donations and donor information be disclosed to the public. These requirements help to preserve the integrity of our democratic system by ensuring that campaign donors do not exercise undue influence over elected policymakers.

Similar requirements do not apply to Presidential library fund-raising campaigns, and this creates the potential for large donors to exert, or appear to exert, improper influence over a sitting President.

The fact that private foundations are required to raise money to build and maintain Presidential libraries lowers the burden on taxpayers, but it also increases the incentive to pursue aggressive fund-raising for libraries that have become more and more expensive over the years.

Under H.R. 36, Presidential library foundations would be required to report on a quarterly basis all donations of \$200 or more. This requirement would apply to donations made to the foundation during the time that the President is in office and during the period before the Archives agrees to use the land or the facility.

In addition, the proposal calls on the Archivist to make all reports available to the public online through a searchable and downloadable database.

I commend Chairman TOWNS for his leadership in bringing this bill to the floor, and I urge all of my colleagues to support this important bipartisan bill.

Mr. ISSA. Madam Speaker, it's my pleasure now to yield up to 10 minutes

to the gentleman from Tennessee (Mr. DUNCAN), the author of the original bill substantially similar to the one today and a constant advocate for this type of transparency.

Mr. DUNCAN. Madam Speaker, first of all, I will say I thank the gentleman from California, the ranking member, Mr. ISSA, for yielding me the time, but I won't need nearly that much time.

I want to thank the gentleman from New York, Chairman TOWNS, for his support of this issue and this legislation and his effort to bring this bill to the floor as one of the first bills considered in the 111th Congress, and I also want to thank the gentleman from California (Mr. ISSA) for his support of this legislation.

I first introduced this bill in the 106th Congress after reading a front-page story in the Washington Times reporting that foreign governments from the Middle East were making large donations, very large donations, to the proposed library for President Clinton. I was concerned about the influence that donations by foreign governments and perhaps others could have since there was no policy requiring disclosure of donors.

The topic of disclosing contributions made by private donors to Presidential library fund-raising organizations is of great concern to me. These organizations are formed while a President is in office and collect donations from individuals, corporations and foreign governments, with no limit on the contribution amount, and especially when there's no requirement for disclosing the donor or the amounts being donated, there is great potential for abuse.

After I introduced this bill, sometime after I introduced this bill, I learned of the very sizable donations, hundreds of thousands of dollars, given to the Clinton library by Marc Rich's ex-wife, another close friend of the Clintons. Marc Rich, who fled the country after evading over \$40 million in Federal income taxes, was granted a pardon on President Clinton's last day in office.

However, this is not a partisan issue. I introduced and have supported this legislation under both Democratic and Republican Presidents, and as Mr. ISSA mentioned and Chairman TOWNS mentioned, it has passed overwhelmingly both times it was considered by the House previously.

Previous attempts to move this bill were met with little interest, I suppose, in the Senate, but perhaps this time around they will take up this issue.

This bill does not prohibit the contributions, including very large contributions. It simply requires Presidential library fund-raisers to disclose donations over \$200.

We're back once again, Madam Speaker, today, to try to pass this bill to provide some openness and transparency on the donations made to these organizations and on what could be the potential for abuse under a President of either party in the future.



The price to build these libraries, as Chairman TOWNS mentioned, has increased dramatically over the last few years from \$80 million to the \$200 to \$500 million estimated for the current President's library.

I think this bill promotes good government and is something that all of my colleagues should be proud to support. If we pass this legislation, it will certainly help to prevent the potential for serious abuse in the years ahead.

And like Chairman TOWNS, I will be glad to work with the gentleman from Texas (Mr. GOHMERT). I did not have that severe of a penalty in the first legislation that I originally worked on many years ago.

But once again, I want to thank all of my colleagues on both sides of the aisle for their support. This is a very bipartisan bill, and I urge its adoption by this Congress.

Mr. TOWNS. Madam Speaker, may I ask how many speakers does the minority have left.

Mr. ISSA. We have no further speakers at this time. If the gentleman's prepared to close, I will be brief.

Mr. TOWNS. I'm prepared to close.

Mr. ISSA. Madam Speaker, I yield myself such time as I may consume simply to say that I look forward to working with the chairman on any perfecting language here or in the Senate necessary to make this an even more acceptable bill to all Members because I believe that, as Mr. DUNCAN said, this is a bill whose time has come. We have been more than 6 years attempting to have this happen.

I think one thing that is very clear is that we could talk about library A, library B, library C, but as President Bush leaves office and that library is going to be built in Dallas, I think the American people will want to know every bit as much as with any previous President that that money was given by people who appreciated the legacy of that President and not by people who appreciated specific actions of that President in real-time.

And so I join with the majority and Mr. DUNCAN, as the original author of some time ago, in asking for quick passage of a bill, perfected as necessary in the work that I expect we will do together.

I yield back the balance of my time.

Mr. TOWNS. Madam Speaker, our President-elect has talked a lot about transparency. He's really interested in transparency. So improving transparency of donations to Presidential libraries, as this bill does, will assure the American people that their Presidents are not being influenced by unknown persons or groups.

Open government is an important goal of the Congress and the incoming administration, and I hope today's bill is just the right kind of bill to move forward with that in mind.

Let me say, Madam Speaker, this is a good piece of legislation, and I'm hoping that my colleagues join me in supporting this bill. I want to thank the

minority for their support, and of course, we will continue to look and see how we might be able to improve the legislation, but I really feel that this is a giant step in the right direction. Transparency is something that we cannot lose sight of.

Mr. WAXMAN. Madam Speaker, I thank Representative TOWNS for bringing this bill to the floor today. H.R. 36, the Presidential Library Donation Reform Act has a simple purpose. It requires that the organizations created to raise money for presidential libraries and their affiliated institutions disclose information about their donors.

The lack of any such requirement creates opportunities for abuse. Under current law, anybody can give to these organizations anonymously, even while the President is still in office. These donations could be used to influence presidential decision-making with no public disclosure.

This is not the first time this bill has come before the House. In 2001, Representative DUNCAN introduced similar legislation. I thank him for his early leadership on this issue. And in 2007, I introduced H.R. 1254 with Representatives DUNCAN, CLAY, PLATTS, and EMANUEL. That bill passed the House with an overwhelming majority in the last Congress. I urge my colleagues once again to support this straightforward legislation.

Mr. VAN HOLLEN. Madam Speaker, today, the House considers the Presidential Libraries Donation Reform Act. I was a cosponsor of this bill when it was originally introduced in 2007 and I am proud to stand in support of it today.

Under current law, a sitting president can accept private donations in unlimited amounts for the purpose of building a presidential library. There is no requirement that the donor's identity or the amount of the donation be disclosed. The potential for abuse here is obvious.

This bill requires presidential libraries fundraising organizations to disclose to Congress information about the donors and their donations during and immediately following the president's term in office.

The bill originally passed the House on suspension in March 2007, and returns to the House floor today after receiving strong support in the Senate.

I encourage my colleagues to join me in supporting this important piece of bipartisan legislation.

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank Congressman TOWNS for attempting to bring greater transparency to presidential library fundraising efforts with H.R. 36, the "Presidential Library Donation Reform Act of 2009."

We are facing a new day, with a new administration, and a new Democratic majority. That is why it is important that we stay true to our core values of fairness, transparency, a accountability.

Starting with the lobbying and ethics reform, we as a body understand that a responsible government allows for openness. This legislation continues to rebuild our trust with the American people.

This legislation requires in part that, "any Presidential library fundraising organization shall submit on a quarterly basis with respect to every contributor who gave the organization a contribution or contributions (whether mone-

tary or in-kind) totaling \$200 or more for the quarterly period."

Under current law, private organizations established for the purpose of building a presidential library can raise unlimited amounts of money from undisclosed donors while the President remains in office. It takes nothing more than common sense to see the potential for abuse in this area and the need for basic reform.

Presidential libraries serve an important purpose as depositories of presidential papers and centers for historical research. In 1939, President Franklin Roosevelt came up with the idea of a privately-built, but federally maintained library to house his presidential papers.

This split of responsibilities between the public and the private sectors has continued and has since been codified into law. In 1955, the Presidential Libraries Act formally established a system under which federally maintained libraries would be built using funds raised by private organizations. More recent amendments have required these private organizations to provide an operating endowment to the National Archives in addition to the library building.

Just as the funding requirements have grown, so have the libraries and their affiliated institutions. Now these libraries are much more than basic research facilities. They include museums and conference centers along with other tourist attractions; they are getting more costly all the time.

The George H.W. Bush library was reported to cost more than \$80 million to build. The Clinton library and museum cost about \$165 million to build. News reports have indicated that the fundraising goal for President Bush's library is \$500 million—half a billion dollars—before this institution is completed.

The vast scale of these secret fundraising efforts creates opportunities for abuse. Donors who do not need to be identified can give unlimited amounts of money to support these libraries while the President remains in office.

This legislation would require that presidential libraries disclose the identity of their donors to Congress and the National Archives during their period of most intense fundraising, which is while the President is in office and in the several years after the end of his term.

This legislation is but one part of a larger effort by this Congress to restore honesty and accountability in the Federal Government.

#### CONCLUSION

Madam Speaker, I want to thank Chairman TOWNS and the Committee on Oversight and Government Reform for helping us build a strong foundation of trust with the American people. I ask my colleagues to support me in supporting H.R. 36.

Mr. TOWNS. On that note, Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 36.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. TOWNS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

Chair's prior announcement, further proceedings on this motion will be postponed.

**ENSURING THAT THE COMPENSATION AND OTHER EMOLUMENTS ATTACHED TO THE OFFICE OF THE SECRETARY OF THE INTERIOR ARE THOSE WHICH WERE IN EFFECT ON JANUARY 1, 2005**

Mr. TOWNS. Madam Speaker, I move to suspend the rules and agree to the Senate joint resolution (S.J. Res. 3), ensuring that the compensation and other emoluments attached to the office of Secretary of the Interior are those which were in effect on January 1, 2005.

The Clerk read the title of the Senate joint resolution.

The text of the Senate joint resolution is as follows:

S.J. RES. 3

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. COMPENSATION AND OTHER EMOLUMENTS ATTACHED TO THE OFFICE OF SECRETARY OF THE INTERIOR.**

(a) IN GENERAL.—The compensation and other emoluments attached to the office of Secretary of the Interior shall be those in effect January 1, 2005, notwithstanding any increase in such compensation or emoluments after that date under any provision of law, or provision which has the force and effect of law, that is enacted or becomes effective during the period beginning at noon of January 3, 2005, and ending at noon of January 3, 2011.

(b) CIVIL ACTION AND APPEAL.—

(1) JURISDICTION.—Any person aggrieved by an action of the Secretary of the Interior may bring a civil action in the United States District Court for the District of Columbia to contest the constitutionality of the appointment and continuance in office of the Secretary of the Interior on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution. The United States District Court for the District of Columbia shall have exclusive jurisdiction over such a civil action, without regard to the sum or value of the matter in controversy.

(2) THREE JUDGE PANEL.—Any claim challenging the constitutionality of the appointment and continuance in office of the Secretary of the Interior on the ground that such appointment and continuance in office is in violation of article I, section 6, clause 2, of the Constitution, in an action brought under paragraph (1) shall be heard and determined by a panel of three judges in accordance with section 2284 of title 28, United States Code. It shall be the duty of the district court to advance on the docket and to expedite the disposition of any matter brought under this subsection.

(3) APPEAL.—

(A) DIRECT APPEAL TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory or final judgment, decree, or order upon the validity of the appointment and continuance in office of the Secretary of the Interior under article I, section 6, clause 2, of the Constitution, entered in any action brought under this subsection. Any such appeal shall be taken by a notice of appeal filed within 20 days after such judgment, decree, or order is entered.

(B) JURISDICTION.—The Supreme Court shall, if it has not previously ruled on the

question presented by an appeal taken under subparagraph (A), accept jurisdiction over the appeal, advance the appeal on the docket, and expedite the appeal.

(c) EFFECTIVE DATE.—This joint resolution shall take effect at 12:00 p.m. on January 20, 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

**GENERAL LEAVE**

Mr. TOWNS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TOWNS. I yield myself as much time as I may consume.

S.J. Res. 3 is a measure needed to ensure Senator SALAZAR of Colorado will be able to serve our country as the Secretary of the Interior during the Obama administration.

The Constitution provides that no Member of the House or Senate may be appointed to an office in the Federal Government for which the salary was raised during the Member's term. Fortunately, this does not prohibit the appointment of Senators or House Members to positions in the executive branch and will not prevent Senator SALAZAR from becoming Secretary of the Interior.

Numerous historical precedents and Justice Department interpretations hold that such appointments are, in fact, permissible so long as the salary is set at the level it was before the appointee's term began.

This long-standing practice dates back at least 100 years and is often referred to as the "Saxbe Fix," referring to the solution which set the salary for President Nixon's nominee for Attorney General, William Saxbe, so that it would reflect the salary level in place before his congressional term of office began.

Other Cabinet officials appointed under such arrangement include Secretary of State Edmund Muskie and Secretary of the Treasury Lloyd Bentsen. The House also passed a similar measure by unanimous consent just last December to ensure that Senator CLINTON may serve as Secretary of State.

This is a commonsense solution with ample precedent, which I urge all Members to support.

Madam Speaker, I reserve the balance of my time.

Mr. ISSA. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am strongly in support of this resolution as necessary and appropriate. It is sort of interesting to have to bring a vote to give somebody less money and save the taxpayers money, but I'm pleased to do it

at any time, and hopefully we will find larger savings as the year goes on.

But I would like to comment on one thing. This is obviously something that we've agreed on beforehand and we look forward to quick passage, but I am committed here today, and would say on the floor with the chairman, to going back to committee to drafting a broader bill, one we would bring before the House within a few days that would cover Congresswoman HILDA SOLIS, former Congressman Ray LaHood, and other Members who are going to be in the same situation of having voted for the tax bill or been present for it and are going to be, in all likelihood, in the President's Cabinet. I believe that we should bring a piece of legislation that, on a blanket basis, says if you want to accept the job, you will accept the lower pay.

So, although I was pleased to be on the floor and participate in the UC, I am pleased to do this. I would hope that for judicial expedience that we would bring a single bill in the next coming weeks that would cover anyone who chooses in the first 2 years to be in the Obama administration, and I look forward to the savings that will come from those appointments.

I reserve the balance of my time.

Mr. TOWNS. Let me just say to the gentleman that he makes a very good point, and we will review it and see in terms of what we can do to be able to move things along. Also, I'm for saving. Any way we can save, let's do it.

S.J. Res. 3 sets the salary of the Secretary of the Interior to the level in effect on January 1, 2005, before the start of Senator SALAZAR's term, satisfying the constitutional requirements. I urge Members to support the resolution and, of course, look forward to working with my colleague in terms of being able to look at a broader kind of legislation to be able to deal with others who might be moving forward or going into the administration.

Madam Speaker, I don't have any other speakers, and I want to know if the minority has any other speakers.

Mr. ISSA. Madam Speaker, I have no other speakers and would yield back.

Mr. TOWNS. Madam Speaker, on that note, I ask my colleagues to be supportive of this legislation because, after all, I think that when we look at the service that is provided and what it is going to do in the days ahead, I think we should be supportive.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and agree to the Senate joint resolution, S.J. Res. 3.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate joint resolution was agreed to.

A motion to reconsider was laid on the table.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 a.m.), the House stood in recess subject to the call of the Chair.

□ 1200

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDEN) at noon.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 35, by the yeas and nays;

H.R. 36, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

PRESIDENTIAL RECORDS ACT  
AMENDMENTS OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 35, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 35.

The vote was taken by electronic device, and there were—yeas 359, nays 58, not voting 12, as follows:

[Roll No. 5]

YEAS—359

Abercrombie	Boyd	Cleaver
Ackerman	Brady (PA)	Clyburn
Adler (NJ)	Brady (TX)	Coble
Alexander	Braley (IA)	Coffman (CO)
Altmire	Bright	Cohen
Andrews	Brown (SC)	Cole
Arcuri	Brown, Corrine	Connolly (VA)
Austria	Brown-Waite,	Conyers
Baca	Ginny	Cooper
Bachus	Buchanan	Costa
Baird	Burgess	Costello
Baldwin	Burton (IN)	Courtney
Barrow	Butterfield	Crenshaw
Bartlett	Buyer	Crowley
Bean	Calvert	Cuellar
Becerra	Camp	Culberson
Berkley	Cantor	Cummings
Berman	Cao	Dahlkemper
Berry	Capito	Davis (AL)
Biggert	Capps	Davis (CA)
Bilbray	Capuano	Davis (IL)
Bilirakis	Cardoza	Davis (TN)
Bishop (GA)	Carnahan	DeFazio
Bishop (NY)	Carney	DeGette
Bishop (UT)	Carson (IN)	Delahunt
Blunt	Castle	DeLauro
Bocieri	Castor (FL)	Dent
Bono Mack	Chandler	Diaz-Balart, L.
Boozman	Childers	Diaz-Balart, M.
Boren	Clarke	Dicks
Boswell	Clay	Dingell

Doggett	Levin	Ros-Lehtinen
Donnelly (IN)	Lewis (CA)	Roskam
Doyle	Lewis (GA)	Ross
Dreier	Lipinski	Rothman (NJ)
Driehaus	LoBiondo	Roybal-Allard
Duncan	Loebach	Royce
Edwards (MD)	Loggren, Zoe	Ruppersberger
Edwards (TX)	Lowey	Rush
Ehlers	Lucas	Ryan (OH)
Ellison	Luetkemeyer	Ryan (WI)
Ellsworth	Luján	Salazar
Emerson	Lummis	Sánchez, Linda T.
Engel	Lynch	Sanchez, Loretta
Eshoo	Maffei	Sarbanes
Etheridge	Maloney	Scalise
Farr	Marchant	Schakowsky
Fattah	Markey (CO)	Schauer
Filner	Markey (MA)	Schiff
Fortenberry	Marshall	Schmidt
Foster	Massa	Schock
Frank (MA)	Matheson	Schrader
Frelinghuysen	Matsui	Schwartz
Fudge	McCarthy (CA)	Scott (GA)
Gerlach	McCarthy (NY)	Scott (VA)
Giffords	McCaul	Sensenbrenner
Gillibrand	McClintock	Serrano
Gohmert	McCollum	Sestak
Gonzalez	McCotter	Shea-Porter
Goodlatte	McDermott	Sherman
Gordon (TN)	McGovern	Shimkus
Grayson	McHugh	Shuler
Green, Al	McIntyre	Simpson
Green, Gene	McMahon	Sires
Griffith	McMorris	Skelton
Grijalva	Rodgers	Slaughter
Guthrie	McNerney	Smith (NE)
Hall (NY)	Meek (FL)	Smith (NJ)
Halvorson	Meeks (NY)	Smith (WA)
Hare	Melancon	Souder
Harman	Mica	Space
Harper	Michaud	Speier
Hastings (FL)	Miller (FL)	Spratt
Heinrich	Miller (MI)	Stark
Heller	Miller (NC)	Stearns
Herger	Miller, George	Stupak
Higgins	Minnick	Sullivan
Hill	Mitchell	Sutton
Himes	Mollohan	Tanner
Hinchey	Moore (KS)	Tauscher
Hinojosa	Moore (WI)	Taylor
Hirono	Moran (KS)	Teague
Hodes	Moran (VA)	Terry
Hoekstra	Murphy (CT)	Thompson (CA)
Holden	Murphy, Patrick	Thompson (MS)
Holt	Murphy, Tim	Thompson (PA)
Honda	Murtha	Tiahrt
Hoyer	Napolitano	Tiberi
Inslee	Neal (MA)	Tierney
Israel	Nunes	Titus
Issa	Nye	Tonko
Jackson (IL)	Oberstar	Towns
Jackson-Lee (TX)	Obey	Tsongas
Jenkins	Oliver	Turner
Johnson (GA)	Ortiz	Upton
Johnson (IL)	Pallone	Van Hollen
Johnson, E. B.	Pascarell	Velázquez
Jones	Pastor (AZ)	Visclosky
Kagen	Paul	Walden
Kanjorski	Paulsen	Walz
Kaptur	Payne	Wamp
Kennedy	Perlmutter	Wasserman
Kildee	Perriello	Schultz
Kilpatrick (MI)	Peters	Watson
Kilroy	Peterson	Watt
Kirk	Petri	Waxman
Kirkpatrick (AZ)	Pingree (ME)	Weiner
Kissell	Platts	Welch
Klein (FL)	Polis (CO)	Wexler
Kosmas	Pomeroy	Whitfield
Kratovil	Posey	Wilson (OH)
Kucinich	Price (NC)	Wilson (SC)
Lance	Putnam	Wittman
Langevin	Radanovich	Wolf
Larsen (WA)	Rahall	Woolsey
Larson (CT)	Reichert	Wu
Latham	Reyes	Yarmuth
LaTourette	Richardson	Young (AK)
Latta	Rodriguez	Young (FL)
Lee (CA)	Roe (TN)	
Lee (NY)	Rogers (KY)	
	Rohrabacher	

NAYS—58

Aderholt	Boehner
Akin	Boustany
Bachmann	Brown (GA)
Barrett (SC)	Campbell
Barton (TX)	Carter
Blackburn	Cassidy

Fleming	King (NY)	Pence
Forbes	Kingston	Pitts
Fox	Kline (MN)	Poe (TX)
Franks (AZ)	Lamborn	Price (GA)
Garrett (NJ)	Linder	Rehberg
Gingrey (GA)	Lungren, Daniel E.	Rogers (AL)
Granger	Mack	Rooney
Hall (TX)	Manzullo	Sessions
Hensarling	McHenry	Shadegg
Hunter	McKeon	Shuster
Inglis	Myrick	Smith (TX)
Johnson, Sam	Neugebauer	Thornberry
Jordan (OH)	Olson	Westmoreland
King (IA)		

## NOT VOTING—12

Blumenauer	Graves	Rangel
Bonner	Herseth Sandlin	Snyder
Boucher	Kind	Solis (CA)
Gallegly	Nadler (NY)	Waters

□ 1227

Messrs. BOEHNER, CASSIDY, REHBERG, and SMITH of Texas changed their vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## SWEARING IN OF MEMBERS

The SPEAKER. Will the Representatives-elect please take their place in the well of the House and take the oath of office at this time.

The Representatives-elect appeared at the bar of the House and took the oath of office as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

Congratulations. You are now Members of the 111th Congress.

## MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform, who have given their lives in the service of our Nation in Iraq and in Afghanistan, and of their families and of all who serve in our Armed Forces and their families.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that the whole number of the House is now 433.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore (Mr. HOLDEN). Without objection, the 5-minute voting will continue.

There was no objection.

PRESIDENTIAL LIBRARY  
DONATION REFORM ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 36, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the bill, H.R. 36.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 388, nays 31, not voting 31, as follows:

[Roll No. 6]

YEAS—388

Abercrombie	Chandler	Gonzalez
Ackerman	Childers	Goodlatte
Aderholt	Clarke	Gordon (TN)
Adler (NJ)	Clay	Granger
Alexander	Cleaver	Grayson
Altmire	Clyburn	Green, Al
Andrews	Coble	Green, Gene
Arcuri	Coffman (CO)	Griffith
Austria	Cohen	Grijalva
Baca	Cole	Guthrie
Bachmann	Connolly (VA)	Gutierrez
Bachus	Conyers	Hall (NY)
Baird	Cooper	Hall (TX)
Baldwin	Costa	Halvorson
Barrett (SC)	Costello	Hare
Barrow	Courtney	Harman
Bean	Crenshaw	Harper
Becerra	Crowley	Hastings (FL)
Berkley	Cuellar	Hastings (WA)
Berman	Culberson	Heinrich
Berry	Cummings	Heller
Biggert	Dahlkemper	Herger
Bilbray	Davis (AL)	Higgins
Bilirakis	Davis (CA)	Hill
Bishop (GA)	Davis (IL)	Himes
Bishop (NY)	Davis (TN)	Hinchee
Bishop (UT)	DeFazio	Hinojosa
Blackburn	DeGette	Hirono
Blumenauer	Delahunt	Hodes
Bocchieri	DeLauro	Holden
Boehner	Dent	Holt
Bono Mack	Diaz-Balart, L.	Honda
Boozman	Diaz-Balart, M.	Hoyer
Boren	Dicks	Hunter
Boswell	Dingell	Inglis
Boustany	Doggett	Inslee
Boyd	Donnelly (IN)	Israel
Brady (PA)	Doyle	Issa
Brady (TX)	Dreier	Jackson (IL)
Braley (IA)	Drieaus	Jackson-Lee
Bright	Duncan	(TX)
Brown (SC)	Edwards (MD)	Jenkins
Brown, Corrine	Edwards (TX)	Johnson (GA)
Brown-Waite,	Ehlers	Johnson (IL)
Ginny	Ellison	Johnson, E. B.
Buchanan	Ellsworth	Jones
Burton (IN)	Emerson	Jordan (OH)
Buyer	Engel	Kagen
Calvert	Eshoo	Kanjorski
Camp	Etheridge	Kaptur
Cantor	Fallin	Kennedy
Cao	Farr	Kildee
Capito	Fattah	Kilpatrick (MI)
Capps	Filner	Kilroy
Capuano	Fleming	Kind
Cardoza	Fortenberry	King (NY)
Carnahan	Foster	Kirk
Carney	Frank (MA)	Kirkpatrick (AZ)
Carson (IN)	Frelinghuysen	Kissell
Cassidy	Fudge	Klein (FL)
Castle	Gerlach	Kline (MN)
Castor (FL)	Giffords	Kosmas
Chaffetz	Gillibrand	Kratovil

Kucinich	Murphy, Tim	Serrano
Lance	Murtha	Sessions
Langevin	Napolitano	Sestak
Larsen (WA)	Neal (MA)	Shea-Porter
Larson (CT)	Neugebauer	Sherman
Latham	Nye	Shimkus
LaTourette	Oberstar	Shuler
Latta	Obey	Shuster
Lee (CA)	Olson	Simpson
Lee (NY)	Olver	Sires
Levin	Ortiz	Skelton
Lewis (CA)	Pallone	Slaughter
Lewis (GA)	Pascarell	Smith (NE)
Linder	Pastor (AZ)	Smith (NJ)
Lipinski	Paulsen	Smith (TX)
LoBiondo	Payne	Smith (WA)
Loeb sack	Pence	Souder
Lofgren, Zoe	Perlmutter	Space
Lowe y	Perriello	Speier
Lucas	Peters	Spratt
Luetkemeyer	Peterson	Stark
Luján	Petri	Stearns
Lungren, Daniel	Pingree (ME)	Stupak
E.	Pitts	Sullivan
Lynch	Platts	Sutton
Mack	Polis (CO)	Tanner
Maffei	Pomeroy	Tauscher
Maloney	Posey	Taylor
Manzullo	Price (GA)	Teague
Marchant	Price (NC)	Terry
Markey (CO)	Putnam	Thompson (CA)
Markey (MA)	Radanovich	Thompson (MS)
Marshall	Rahall	Thompson (PA)
Massa	Rangel	Thornberry
Matheson	Rehberg	Tiahrt
Matsui	Reichert	Tiberi
McCarthy (CA)	Reyes	Tierney
McCarthy (NY)	Richardson	Titus
McCaul	Rodriguez	Tonko
McClintock	Roe (TN)	Towns
McCollum	Rogers (KY)	Tsongas
McCotter	Rogers (MI)	Turner
McDermott	Rohrabacher	Upton
McGovern	Rooney	Van Hollen
McHugh	Ros-Lehtinen	Velázquez
McIntyre	Roskam	Visclosky
McKeon	Ross	Walden
McMahon	Rothman (NJ)	Walz
McMorris	Roybal-Allard	Wamp
Rodgers	Royce	Wasserman
McNerney	Ruppersberger	Schultz
Meek (FL)	Rush	Watson
Meeks (NY)	Ryan (OH)	Watt
Melancon	Ryan (WI)	Waxman
Mica	Sánchez, Linda	Weiner
Michaud	T.	Welch
Miller (FL)	Sanchez, Loretta	Wexler
Miller (MI)	Sarbanes	Whitfield
Miller (NC)	Scalise	Wilson (OH)
Miller, George	Schakowsky	Wilson (SC)
Minnick	Schauer	Wittman
Mitchell	Schiff	Wolf
Mollohan	Schmidt	Woolsey
Moore (KS)	Schock	Wu
Moore (WI)	Schrader	Yarmuth
Moran (KS)	Schwartz	Young (AK)
Moran (VA)	Scott (GA)	Young (FL)
Murphy (CT)	Scott (VA)	
Murphy, Patrick	Sensenbrenner	

NAYS—31

Akin	Forbes	Lamborn
Bartlett	Foxx	Lummis
Barton (TX)	Franks (AZ)	McHenry
Broun (GA)	Garrett (NJ)	Myrick
Burgess	Gingrey (GA)	Paul
Campbell	Gohmert	Poe (TX)
Carter	Hensarling	Rogers (AL)
Conaway	Hoekstra	Shadegg
Davis (KY)	Johnson, Sam	Westmoreland
Deal (GA)	King (IA)	
Flake	Kingston	

NOT VOTING—13

Blunt	Graves	Snyder
Bonner	Herseth Sandlin	Solis (CA)
Boucher	Nadler (NY)	Waters
Butterfield	Nunes	
Galgely	Salazar	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1241

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. NUNES. Mr. Speaker, on rollcall No. 6, I was unavoidably detained. Had I been present, I would have voted "yea."

PROVIDING FOR ATTENDANCE AT  
INAUGURAL CEREMONIES ON  
JANUARY 20, 2009

Mr. HOYER. Madam Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 23

*Resolved*, That at 10:30 a.m. on Tuesday, January 20, 2009, the House shall proceed to the West Front of the Capitol for the purpose of attending the inaugural ceremonies of the President and Vice President of the United States; and that upon the conclusion of the ceremonies the House stands adjourned until 10 a.m. on Wednesday, January 21, 2009.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Madam Speaker, there will be no votes for the balance of the day, and there will be no votes tomorrow.

There will be a joint session tomorrow. We will meet for the counting and for the report of the electoral college votes of the November 4 election.

There will be votes on Friday, and I will be trying to get you additional information on the calendar for Friday. Clearly there will be at least two bills on the floor—there may be others—the Pay Equity bill that already passed the House last year, and the so-called Ledbetter bill are two items that have been currently already noticed, but there may be other items that we're working in conjunction with the minority on whether or not we can move those forward.

But I wanted to let Members know that there would be no further votes today that we contemplate no votes tomorrow. But there will be votes on Friday.

□ 1245

## SPECIAL ORDERS

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

**PUBLICATION OF THE RULES OF THE COMMITTEE ON RULES, 111TH CONGRESS**

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. SLAUGHTER) is recognized for 5 minutes.

Ms. SLAUGHTER. Madam Speaker, pursuant to clause 2 of rule XI of the Rules of the House, on January 7, 2009 the Committee on Rules adopted by voice vote, a quorum being present, the following rules:

**RULES OF THE COMMITTEE ON RULES**

U.S. House of Representatives

Rules for the 111th Congress

**RULE 1—GENERAL PROVISIONS**

(a) The Rules of the House are the rules of the Committee and its subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are non-debatable privileged motions in the Committee. A proposed investigative or oversight report shall be considered as read if it has been available to the members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day).

(b) Each subcommittee is a part of the Committee, and is subject to the authority and direction of the Committee and to its rules so far as applicable.

(c) The provisions of clause 2 of rule XI of the Rules of the House are incorporated by reference as the rules of the Committee to the extent applicable.

(d) The Committee's rules shall be published in the Congressional Record not later than 30 days after the Committee is elected in each odd-numbered year.

**RULE 2—REGULAR, ADDITIONAL, AND SPECIAL MEETINGS**

**REGULAR MEETINGS**

(a)(1) The Committee shall regularly meet at 10:00 a.m. on Tuesday of each week when the House is in session.

(2) A regular meeting of the Committee may be dispensed with if, in the judgment of the Chairman of the Committee (hereafter in these rules referred to as the "Chair"), there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair.

**NOTICE FOR REGULAR MEETINGS**

(b) The Chair shall notify in electronic or written form each member of the Committee of the agenda of each regular meeting of the Committee at least 48 hours before the time of the meeting and shall provide to each member of the Committee, at least 24 hours before the time of each regular meeting:

(1) for each bill or resolution scheduled on the agenda for consideration of a rule, a copy of—

- (A) the bill or resolution;
- (B) any committee reports thereon; and
- (C) any letter requesting a rule for the bill or resolution; and

(2) for each other bill, resolution, report, or other matter on the agenda a copy of—

(A) the bill, resolution, report, or materials relating to the other matter in question; and

(B) any report on the bill, resolution, report, or any other matter made by any subcommittee of the Committee.

**EMERGENCY MEETINGS**

(c)(1) The Chair may call an emergency meeting of the Committee at any time on any measure or matter which the Chair determines to be of an emergency nature; pro-

vided, however, that the Chair has made an effort to consult the ranking minority member, or, in such member's absence, the next ranking minority party member of the Committee.

(2) As soon as possible after calling an emergency meeting of the Committee, the Chair shall notify each member of the Committee of the time and location of the meeting.

(3) To the extent feasible, the notice provided under paragraph (2) shall include the agenda for the emergency meeting and copies of available materials which would otherwise have been provided under subsection (b) if the emergency meeting was a regular meeting.

**SPECIAL MEETINGS**

(d) Special meetings shall be called and convened as provided in clause 2(c)(2) of rule XI of the Rules of the House.

**RULE 3—MEETING AND HEARING PROCEDURES**

**IN GENERAL**

(a)(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the member designated by the Chair as the Vice Chair of the Committee, or by the ranking majority member of the Committee present as Acting Chair.

(2) Meetings and hearings of the Committee shall be open to the public unless closed in accordance with clause 2(g) of rule XI of the Rules of the House of Representatives.

(3) Any meeting or hearing of the Committee that is open to the public shall be open to coverage by television, radio, and still photography in accordance with the provisions of clause 4 of rule XI of the Rules of the House (which are incorporated by reference as part of these rules).

(4) When a recommendation is made as to the kind of rule which should be granted for consideration of a bill or resolution, a copy of the language recommended shall be furnished to each member of the Committee at the beginning of the Committee meeting at which the rule is to be considered or as soon thereafter as the proposed language becomes available.

**QUORUM**

(b)(1) For the purpose of hearing testimony on requests for rules, five members of the Committee shall constitute a quorum.

(2) For the purpose of taking testimony and receiving evidence on measures or matters of original jurisdiction before the Committee, three members of the Committee shall constitute a quorum.

(3) A majority of the members of the Committee shall constitute a quorum for the purposes of reporting any measure or matter, of authorizing a subpoena, of closing a meeting or hearing pursuant to clause 2(g) of rule XI of the Rules of the House (except as provided in clause 2(g)(2)(A) and (B)), or of taking any other action.

**VOTING**

(c)(1) No vote may be conducted on any measure or motion pending before the Committee unless a majority of the members of the Committee is actually present for such purpose.

(2) A record vote of the Committee shall be provided on any question before the Committee upon the request of any member.

(3) No vote by any member of the Committee on any measure or matter may be cast by proxy.

(4) A record of the vote of each Member of the Committee on each record vote on any matter before the Committee shall be available for public inspection at the offices of the Committee, and with respect to any

record vote on any motion to amend or report, shall be included in the report of the Committee showing the total number of votes cast for and against and the names of those members voting for and against.

**HEARING PROCEDURES**

(d)(1) With regard to hearings on matters of original jurisdiction, to the greatest extent practicable:

(A) each witness who is to appear before the Committee shall file with the Committee at least 24 hours in advance of the appearance a statement of proposed testimony in written and electronic form and shall limit the oral presentation to the Committee to a brief summary thereof; and

(B) each witness appearing in a non-governmental capacity shall include with the statement of proposed testimony provided in written and electronic form a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two preceding fiscal years.

(2) The five-minute rule shall be observed in the interrogation of each witness before the Committee until each member of the Committee has had an opportunity to question the witness.

(3) The provisions of clause 2(k) of rule XI of the Rules of the House shall apply to any hearing conducted by the Committee.

**SUBPOENAS AND OATHS**

(e)(1) Pursuant to clause 2(m) of rule XI of the Rules of the House of Representatives, a subpoena may be authorized and issued by the Committee or a subcommittee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present.

(2) The Chair may authorize and issue subpoenas under such clause during any period in which the House has adjourned for a period of longer than three days.

(3) Authorized subpoenas shall be signed by the Chair or by any member designated by the Committee, and may be served by any person designated by the Chair or such member.

(4) The Chair, or any member of the Committee designated by the Chair, may administer oaths to witnesses before the Committee.

**RULE 4—GENERAL OVERSIGHT RESPONSIBILITIES**

(a) The Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its jurisdiction.

(b) Not later than February 15 of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Administration and the Committee on Oversight and Government Reform, in accordance with the provisions of clause 2(d) of House rule X.

**RULE 5—SUBCOMMITTEES**

**ESTABLISHMENT AND RESPONSIBILITIES OF SUBCOMMITTEES**

(a)(1) There shall be two subcommittees of the Committee as follows:

(A) Subcommittee on Legislative and Budget Process, which shall have general responsibility for measures or matters related to relations between the Congress and the Executive Branch.

(B) Subcommittee on Rules and Organization of the House, which shall have general responsibility for measures or matters related to process and procedures of the House,

relations between the two Houses of Congress, relations between the Congress and the Judiciary, and internal operations of the House.

(2) In addition, each such subcommittee shall have specific responsibility for such other measures or matters as the Chair refers to it.

(3) Each subcommittee of the Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its general responsibility.

#### REFERRAL OF MEASURES AND MATTERS TO SUBCOMMITTEES

(b)(1) In view of the unique procedural responsibilities of the Committee, no special order providing for the consideration of any bill or resolution shall be referred to a subcommittee of the Committee.

(2) The Chair shall refer to a subcommittee such measures or matters of original jurisdiction as the Chair deems appropriate given its jurisdiction and responsibilities.

(3) All other measures or matters of original jurisdiction shall be subject to consideration by the full Committee.

(4) In referring any measure or matter of original jurisdiction to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Committee.

(5) The Committee by motion may discharge a subcommittee from consideration of any measure or matter referred to a subcommittee of the Committee.

#### COMPOSITION OF SUBCOMMITTEES

(c) The size and ratio of each subcommittee shall be determined by the Committee and members shall be elected to each subcommittee, and to the positions of chairman and ranking minority member thereof, in accordance with the rules of the respective party caucuses. The Chair of the full Committee shall designate a member of the majority party on each subcommittee as its vice chairman.

#### SUBCOMMITTEE MEETINGS AND HEARINGS

(d)(1) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full Committee on any measure or matter referred to it.

(2) No subcommittee of the Committee may meet or hold a hearing at the same time as a meeting or hearing of the full Committee is being held.

(3) The chairman of each subcommittee shall schedule meetings and hearings of the subcommittee only after consultation with the Chair.

#### QUORUM

(e)(1) For the purpose of taking testimony, two members of the subcommittee shall constitute a quorum.

(2) For all other purposes, a quorum shall consist of a majority of the members of a subcommittee.

#### EFFECT OF A VACANCY

(f) Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of the subcommittee.

#### RECORDS

(g) Each subcommittee of the Committee shall provide the full Committee with copies of such records of votes taken in the subcommittee and such other records with respect to the subcommittee necessary for the Committee to comply with all rules and regulations of the House.

#### RULE 6—STAFF IN GENERAL

(a)(1) Except as provided in paragraphs (2) and (3), the professional and other staff of

the Committee shall be appointed, by the Chair, and shall work under the general supervision and direction of the Chair.

(2) All professional, and other staff provided to the minority party members of the Committee shall be appointed, by the ranking minority member of the Committee, and shall work under the general supervision and direction of such member.

(3) The appointment of all professional staff shall be subject to the approval of the Committee as provided by, and subject to the provisions of, clause 9 of rule X of the Rules of the House.

#### ASSOCIATE STAFF

(b) Associate staff for members of the Committee may be appointed only at the discretion of the Chair (in consultation with the ranking minority member regarding any minority party associate staff), after taking into account any staff ceilings and budgetary constraints in effect at the time, and any terms, limits, or conditions established by the Committee on House Administration under clause 9 of rule X of the Rules of the House.

#### SUBCOMMITTEE STAFF

(c) From funds made available for the appointment of staff, the Chair of the Committee shall, pursuant to clause 6(d) of rule X of the Rules of the House, ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee, and, after consultation with the ranking minority member of the Committee, that the minority party of the Committee is treated fairly in the appointment of such staff.

#### COMPENSATION OF STAFF

(d) The Chair shall fix the compensation of all professional and other staff of the Committee, after consultation with the ranking minority member regarding any minority party staff.

#### CERTIFICATION OF STAFF

(e)(1) To the extent any staff member of the Committee or any of its subcommittees does not work under the direct supervision and direction of the Chair, the Member of the Committee who supervises and directs the staff member's work shall file with the Chief of Staff of the Committee (not later than the tenth day of each month) a certification regarding the staff member's work for that member for the preceding calendar month.

(2) The certification required by paragraph (1) shall be in such form as the Chair may prescribe, shall identify each staff member by name, and shall state that the work engaged in by the staff member and the duties assigned to the staff member for the member of the Committee with respect to the month in question met the requirements of clause 9 of rule X of the Rules of the House.

(3) Any certification of staff of the Committee, or any of its subcommittees, made by the Chair in compliance with any provision of law or regulation shall be made—

(A) on the basis of the certifications filed under paragraph (1) to the extent the staff is not under the Chair's supervision and direction, and

(B) on his own responsibility to the extent the staff is under the Chair's direct supervision and direction.

#### RULE 7—BUDGET, TRAVEL, PAY OF WITNESSES BUDGET

(a) The Chair, in consultation with other members of the Committee, shall prepare for each Congress a budget providing amounts for staff, necessary travel, investigation, and other expenses of the Committee and its subcommittees.

#### TRAVEL

(b)(1) The Chair may authorize travel for any member and any staff member of the

Committee in connection with activities or subject matters under the general jurisdiction of the Committee. Before such authorization is granted, there shall be submitted to the Chair in writing the following:

(A) The purpose of the travel.

(B) The dates during which the travel is to occur.

(C) The names of the States or countries to be visited and the length of time to be spent in each.

(D) The names of members and staff of the Committee for whom the authorization is sought.

(2) Members and staff of the Committee shall make a written report to the Chair on any travel they have conducted under this subsection, including a description of their itinerary, expenses, and activities, and of pertinent information gained as a result of such travel.

(3) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

#### PAY OF WITNESSES

(c) Witnesses may be paid from funds made available to the Committee in its expense resolution subject to the provisions of clause 5 of rule XI of the Rules of the House.

#### RULE 8—COMMITTEE ADMINISTRATION REPORTING

(a) Whenever the Committee authorizes the favorable reporting of a bill or resolution from the Committee—

(1) the Chair or acting Chair shall report it to the House or designate a member of the Committee to do so, and

(2) in the case of a bill or resolution in which the Committee has original jurisdiction, the Chair shall allow, to the extent that the anticipated floor schedule permits, any member of the Committee a reasonable amount of time to submit views for inclusion in the Committee report on the bill or resolution.

Any such report shall contain all matters required by the Rules of the House of Representatives (or by any provision of law enacted as an exercise of the rulemaking power of the House) and such other information as the Chair deems appropriate.

#### RECORDS

(b)(1) There shall be a transcript made of each regular meeting and hearing of the Committee, and the transcript may be printed if the Chair decides it is appropriate or if a majority of the Members of the Committee requests such printing. Any such transcripts shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks. Nothing in this paragraph shall be construed to require that all such transcripts be subject to correction and publication.

(2) The Committee shall keep a record of all actions of the Committee and of its subcommittees. The record shall contain all information required by clause 2(e)(1) of rule XI of the Rules of the House of Representatives and shall be available for public inspection at reasonable times in the offices of the Committee.

(3) All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Chair, shall be the property of the House, and all Members of the House shall have access thereto as provided in clause 2(e)(2) of rule XI of the Rules of the House.

(4) The records of the Committee at the National Archives and Records Administration shall be made available for public use in



accordance with rule VII of the Rules of the House. The Chair shall notify the ranking minority member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on written request of any member of the Committee.

#### COMMITTEE PUBLICATIONS ON THE INTERNET

(c) To the maximum extent feasible, the Committee shall make its publications available in electronic form.

#### CALENDARS

(d)(1) The Committee shall maintain a Committee Calendar, which shall include all bills, resolutions, and other matters referred to or reported by the Committee and all bills, resolutions, and other matters reported by any other committee on which a rule has been granted or formally requested, and such other matters as the Chair shall direct. The Calendar shall be published periodically, but in no case less often than once in each session of Congress.

(2) The staff of the Committee shall furnish each member of the Committee with a list of all bills or resolutions (A) reported from the Committee but not yet considered by the House, and (B) on which a rule has been formally requested but not yet granted. The list shall be updated each week when the House is in session.

(3) For purposes of paragraphs (1) and (2), a rule is considered as formally requested when the Chairman of a committee which has reported a bill or resolution (or a member of such committee authorized to act on the Chairman's behalf):

(A) has requested, in writing to the Chair, that a hearing be scheduled on a rule for the consideration of the bill or resolution, and

(B) has supplied the Committee with an adequate number of copies of the bill or resolution, as reported, together with the final printed committee report thereon.

#### OTHER PROCEDURES

(e) The Chair may establish such other Committee procedures and take such actions as may be necessary to carry out these rules or to facilitate the effective operation of the Committee and its subcommittees in a manner consistent with these rules.

#### RULE 9—AMENDMENTS TO COMMITTEE RULES

The rules of the Committee may be modified, amended or repealed, in the same manner and method as prescribed for the adoption of committee rules in clause 2 of rule XI of the Rules of the House, but only if written notice of the proposed change has been provided to each such Member at least 48 hours before the time of the meeting at which the vote on the change occurs. Any such change in the rules of the Committee shall be published in the Congressional Record within 30 calendar days after their approval.

#### HAMAS—A HISTORY OF HATE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Madam Speaker, Israel and Hamas are fighting each other in the Gaza Strip. The question is, what is this fighting all about?

For centuries, the Jews and Muslims have fought over a strip of land in what we call the Holy Land called the Gaza Strip. It's a territorial dispute, but it's also a conflict of a religious nature.

The Gaza Strip is a tiny sliver of land about two times the size of Wash-

ington, D.C., with a population of about 1.5 million people. It is bordered by the State of Israel on three sides and the Mediterranean Sea to the West.

The modern war between Israel and the Palestinians began after Israel became a sovereign nation in 1948, after the end of World War II. After the Egyptian invasion of Israel in May of 1948 and the subsequent occupation of the Gaza Strip, large groups of Palestinian refugees began to arrive and live in Gaza.

In the last half of the 20th century, territorial control bounced back and forth between Israel and its Muslim neighboring countries. In the 1990s, Israel transferred security and civilian responsibility for the Palestinian-populated areas of Gaza to the Palestinian Authority. After that transfer, Palestinians elected Yasser Arafat to be their leader, a person who was by no means pro-Israel, but a leader at the very least who worked for peace between Israel and Palestine.

In September 2005, Israel unilaterally withdrew all of its settlers and soldiers and dismantled its military facilities in the Gaza Strip on the condition that the Palestinian terrorist groups, like Hamas, would stop terrorizing innocent civilians in Israel near the Gaza border, but that did not happen. Hamas continued its relentless attacks against the Jews, causing an escalation of tension in that region.

Then in January of 2006, the people of Palestine elected Hamas to head the Palestine Legislative Council. The international community did not accept the Hamas-led government because it refused to renounce violence, refused to recognize the State of Israel, and refused to honor previous peace agreements between Israel and the Palestinian Authority.

After a series of infighting between Hamas and more moderate Palestinians, Hamas militants succeeded in a violent takeover of all the military and government institutions in the Gaza Strip.

So since 2000, Hamas terrorists have targeted over 1 million Israeli civilians in Gaza and Israel literally firing thousands of rockets, missiles and mortar shells into Israel. In just the past 10 days, Hamas has fired more than 500 rockets at innocent Israeli civilians, and there is no end in sight.

The anti-Semitic hate speech propagated by Hamas leaders is no figment of anyone's imagination. It is real. It's enticing an entire generation of young people to become terrorists, all in the name of religion. Even our State Department has designated Hamas as a foreign terrorist organization for as long as that list has existed.

But we don't have to take our own government's word for it. In 2005, a Hamas leader in Gaza told the media that, "Neither the liberation of the Gaza Strip nor the liberation of the West Bank or even Jerusalem will suffice us. Hamas will pursue the armed

struggle until the liberation of all our lands. We don't recognize the State of Israel or its right to hold onto one inch of Palestine. Palestine is an Islamic land belonging to all the Muslims."

Later in 2006, another leader said, "Israel is not a legitimate entity, and no amount of pressure can force us to recognize its right to exist. Israel must be humiliated and degraded."

These are not the words of a people who desire peace and reconciliation. These are the words of a people who blatantly call for the complete destruction of Israel and will not stop at anything until that happens.

What's worse, Hamas doesn't care what it takes to make this happen, even if that means killing its own people.

Since the fighting began, Israel has allowed over 200 truckloads of food and medicine to enter Gaza, even under shellfire. Just today, Israel agreed to cease its ground operations for 3 hours every day so that humanitarian supplies can be taken into Gaza.

But meanwhile, Hamas is not only preventing its own wounded civilians from crossing into Egypt to receive medical treatment, but they're stealing medicine and supplies meant for civilians and using them for their wounded terrorists.

What makes Hamas even more inhumane is their willingness to put their own people in harm's way. Time and time again, Hamas has intentionally launched missiles into school yards and residential areas, putting Palestinians at risk, daring Israel to try and come after them, even hoping for Palestinian civilian lives to be lost in these attacks.

It's time for the rest of the world to stand in solidarity with Israel in its fight against terrorism and demand that Hamas immediately end its rocket fire attacks on Israel and stop smuggling through tunnels between Egypt and Gaza. However, Hamas says it will never end their war against Israel until Israel ceases to exist.

In the face of such hate, Madam Speaker, Israel is left with no other choice but to defend its people and its sovereign territory from these murderous terrorists.

And that's just the way it is.

#### NEW CONGRESS, REAL COMMITMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, the wonderful opportunity of a new Congress is that it is not bound by the mistakes of the past.

As foreclosure rates rise in Ohio and across our Nation, it's pretty obvious that the Federal responses are not working on Main Street, whether it's the \$700 billion Wall Street bailout or the \$300 billion FHA loan workout program.

Citigroup, for example, was one of the big culprits that caused the financial meltdown; yet, they got paid \$25 billion from the public Treasury. But Ohio, where foreclosures are raging, got nothing. Instead, out-of-State megabanks are buying up Ohio banks, while more Ohio homeowners get boot-ed out of their homes.

Last year, in my home County of Lucas, another 4,100 homes were foreclosed. That's a minimum of 10,000, 10,000 more people who were not helped by Treasury's failed TARP program. Ohio's families alone need \$20 billion to stop the real estate hemorrhage which is less than what Citibank received, and would go to real people, not ersatz and paper trades on Wall Street.

In Toledo, Ohio, you can now buy a home for \$4,500, but last fall, rather than local homeowners being refinanced in this Wall Street bailout bill, one California investor figured it out. He bought 137 foreclosed properties in Toledo at auction, an auction sponsored by the very Wall Street banks that caused the trouble in the first place. Houses are being auctioned at prices so low we could have put the original occupants back in. Even cities would be able to bid on these homes on behalf of their local homeowners, their property owners, but they've not yet received any funds from the \$4 billion neighborhood stabilization program that we were told was supposed to keep local neighborhoods whole.

But the Wall Street banks are cleaning up. They get the bailout money. They don't have to manage those properties. They auction them to outsiders and then they're just waiting for their taxes to be filed for 2008 at the IRS to get all those losses booked and get more back from the people of the United States.

Something is very wrong and unco-ordinated with the manner in which the Federal Government is allowing equity to be bled from local homeowners and from our communities at large and awarded to Wall Street whole.

Wall Street banks that hold or sell mortgages on these foreclosed properties are not managing their property holdings. These holdings are then frequently stripped of copper, electrical wiring and other materials, further devaluing adjacent properties and decimating entire neighborhoods.

The \$300 billion FHA program designed to help modify troubled mortgage loans is as ineffective as the Wall Street bailout. The program has received fewer than 200 applications nationwide since taking effect October 1 and not a single loan has been modified.

A bank's receipt of TARP funds should be conditioned on them lending money and engaging in mortgage workouts to ensure the program at least starts to work somewhat. Many banks and servicers are still reluctant to structure manageable workouts with their customers. Among them are JP Morgan Chase, Wells Fargo and

Wilshire, who have received \$65 billion among them in Treasury funds.

What's fair about that? May the 111th Congress pass more than just hollow legislation. Let's pass a measure worthy of the oath we took yesterday to protect our Republic from all enemies, foreign and domestic.

Jesse James robbed banks because he said that's where the money is. Well, Wall Street just robbed the biggest bank of them all, the public Treasury. It's time for Congress to blink and do what's right in the 111th Congress of the United States.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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#### HONORING THE LIFE OF FORMER SENATOR CLAIBORNE PELL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. KENNEDY) is recognized for 5 minutes.

Mr. KENNEDY. Today, Madam Speaker, I join my colleague Congressman LANGEVIN in this tribute to Senator Pell, the great statesman from Rhode Island. His name is well-known throughout this country, associated most notably with the Pell Grant, the grant that allows millions of young people in this country opportunity to get a higher education.

But Madam Speaker, we wanted to pay tribute to Senator Pell not only for what he did to open the doors for millions in this country for economic and educational opportunity, we wanted to pay tribute to him for all that he's done as a five-term Senator from Rhode Island and one of the most distinguished Senators ever to serve not only Rhode Island but this country.

He was the author of the Humanities Act, National Endowment for the Humanities, which allows the arts to be accessible to the average person as well.

He was really the founder and the person who really began the belief that we ought to work cooperatively around the world in terms of foreign policy. As the chairman of the Foreign Relations Committee, he was the one who led in diplomacy.

And my friends, he was far ahead of his time as an environmentalist as well.

Madam Speaker, we could talk about his policies and what they meant to our country, but to know him as a person is to really say the most about Senator Pell. He was the most self-effacing, genteel, kind-hearted man that you could ever know. And in a world of rough-and-tumble politics, it's hard to find a genuine person such as that. And for that reason, on a personal level I

was honored to know him and serve with him and today join my colleague, JIM LANGEVIN, in paying tribute to him.

Senator Pell left an extraordinary legacy that is appreciated by so many people around the world.

He spent his life in service to our country from his start in 1960 as a U.S. Senator from Rhode Island to his retirement in 1997, and in the years beyond in which he remained active in our State.

Our Nation has lost one of its most visionary and thoughtful legislative leaders, and his hallmark, the Pell Grant, exemplifies his efforts to promote education and opportunity for all Americans. So many families, though they may not know his name, were touched by the work and generous spirit of Senator Pell.

There are so many areas in which he led our country to the forefront such as oceanography, foreign policy, and college tuition assistance. His commitment to public service and his notable contributions to Rhode Island and our Nation continue to inspire people of all generations.

The magnitude and depth of his accomplishments may never be known because he let others take the credit and acclaim. His style was understated yet magnanimous and his work ushered in many essential policies that have shaped our world today.

Earlier this week, President Clinton, Vice President-elect Biden, Senator KENNEDY, Senator REED and many of his other friends from around the globe paid tribute to his work and celebrated his life.

He will be truly missed and my sympathies and prayers are with his family. He leaves behind his wife of 64 years, wonderful Nuala O'Donnell Pell; his son, Christopher T.H. Pell, of Newport; a daughter, Dallas Pell, of New York City; as well as five grandchildren and five great grandchildren.

But those of us who will miss him extends much farther. It is our country's sorrow to lose such a giant of the Senate and the Nation.

And with that, I would like to yield the floor to my colleague and friend from the Second Congressional District, Congressman LANGEVIN.

Mr. LANGEVIN. Madam Speaker, I thank my colleague for yielding, and I am honored to join with him today in paying tribute to our State's former senior Senator, Senator Claiborne Pell, who passed away on the 1st of this year. He was an incredible public servant, and someone who I was proud to call a friend and a mentor. He was one of Rhode Island's greatest statesmen and gentlemen, as I said, who passed away on the first day of 2009.

Born on November 22, 1918 into a prominent and wealthy family, Senator Pell was better known as a champion for the common man and also the "Father of the Pell Grant Program." After receiving a degree from Princeton University, he served in the United States Coast Guard during World War II and later traveled the world as a Foreign Service Officer of the State Department. In 1960, he was elected to his first of six terms as a United States Senator from Rhode Island. After retiring in 1997, he became our State's long-est-serving Senator.

Diagnosed with Parkinson's Disease in 1994, he never let his physical condition diminish his spirit and he remained active in the Rhode Island community and the Democratic Party. In Rhode Island, the Pell name is legendary in politics and synonymous with the best attributes of public service, and his legacy endures.

The esteemed Senator once stated, "The strength of the United States is not the gold at Fort Knox or the weapons of mass destruction that we have, but the sum total of the education and the character of our people." Believing that education was the great equalizer, he created legislation that passed in 1972 establishing the Basic Educational Opportunity Grants—better known now as Pell Grants—that provide financial assistance to students who may not otherwise be able to attend college. It is estimated that a remarkable 54 million students have benefited from these grants.

Due to his love of the arts, he also authored the legislation, as my colleague, Congressman KENNEDY, mentioned, creating the National Endowment for the Arts and the National Endowment for the Humanities. He helped shape our country's foreign policy and believed strongly in the power of diplomacy. He stood up to defend rights for all Americans, regardless of race, class or sexual orientation.

Knowing him for more than two decades, I considered Senator Pell a friend and a mentor and had the opportunity of interning in his Washington, DC office during my studies at Rhode Island College. I found it to be one of the most rewarding experiences of my life and the beginning of a career path that led me here to Congress as a representative of Rhode Island's Second Congressional District.

As I began my own career in government, Senator Pell was always there for me, offering advice and support.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### HONORING SENATOR CLAIBORNE PELL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

Mr. LANGEVIN. In continuing my tribute to Senator Pell, Madam Speaker, Senator Pell was and always will be a role model as I work to serve the people of Rhode Island just as he did, with courage and integrity.

This past Monday, Senator Pell was remembered by his family, colleagues from the Senate, President Clinton, Vice President-elect Biden, and many

others. It was a fitting tribute to his years of public service and his life-long vision for our country.

Madam Speaker, it is an understatement to say that his presence will be forever missed, but his enduring legacy will live on in his many accomplishments that have enhanced our country greatly, and especially the past, present and future students who have achieved a higher education because of Pell Grants. And it will live on in the people of Rhode Island, who have benefited greatly from his life's work.

My thoughts and prayers are with his entire family, especially his beloved wife of 64 years, Nuala Pell, during this very difficult time.

I join with my friend and colleague, Congressman KENNEDY, to say that Senator Pell had a tremendous impact on our careers. And again, we extend both our sincerest condolences to the entire Pell family.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. KIRK) is recognized for 5 minutes.

(Mr. KIRK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### ISRAEL AND HAMAS CONFLICT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. ROGERS) is recognized for 5 minutes.

Mr. ROGERS of Alabama. Madam Speaker, I rise today to speak about the devastating situation in Gaza.

Each of us in this Chamber knows what it's like to deal with a terrorist attack on our soil and against our people. Over the last several years, the Israeli people have been constantly bombarded by terrorist attacks on their soil and against their people. Since Israel withdrew from Gaza in late 2005, more than 6,000 rocket and mortar attacks from Hamas and other terrorist groups were fired into their territory.

The Government of Israel has a right and a responsibility to defend and protect its people. To stand idly by while hundreds of bombs explode on Israeli territory would have indeed been an irresponsible position for Israel's government to take, and continuing to do nothing could cause long-term detrimental implications to Israel's security in the region.

So Madam Speaker, critics who have said that Israel responded to Hamas in a disproportionate or indiscriminate way are wrong. Madam Speaker, I ask,

what amount of force would have been necessary to stop the brutal attacks, to put an end to the terrorists' rocket launching pad in Gaza?

Hamas has repeatedly targeted school yards and hospitals filled with children and civilians in Israel. And the militants have been deliberate in operating from places where Gazan civilians have sought shelter, jeopardizing innocent lives in Gaza. Only Hamas is responsible for the massacre of the people in Gaza. Hamas is responsible for this conflict.

Today marks the 12th day of this conflict, and I think we all hope for a cease-fire to take place soon. However, even if the parties can reach an agreement to a cease-fire, it remains to be seen whether it will be durable.

Therefore, I strongly urge support for Israel's right to self-defense and its efforts to protect itself militarily. I also urge the United Nations and our European allies to do the same.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### ECONOMY IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Madam Speaker, it is a pleasure to be here as we start another 2 years in a new Congress, the 111th Congress. It is an humbling honor to get to follow in the footsteps of so many giants.

I come today to talk a bit about the economy and what's been done so far and what is being proposed to be done in the future. Now, there is so much to be learned from people who have been around this place and been on this Earth for many, many decades. A fellow down in Nacogdoches had the wisdom, when he was told by a young reporter on his 95th birthday, "Congratulations on your 95th birthday, I hope you're not offended, but I hope I never turn 95," and the gentleman said, "Well, son, that's because you're not 94." But a man over 90 approached me there and said that he was sick and tired of hearing people say, oh, this is the worst day since the Depression, some people saying it's as bad as the 1930s Depression. And he said, let me tell you about the Depression. I was there. Sometimes we went for 2 days without eating. And I look around nowadays and I see people offended if they don't have three cars in their family. They've got a computer, they've got cell phones, they've got all these things, and they're trying to tell me that this is as bad as the Depression

when my family couldn't eat, when unemployment, by some estimations, at times was going toward 50 percent, but by most agreement was more like 25 percent or so. It was an incredibly rough time for America, but they managed to get through it.

There is interesting literature out now that says, by government intervention all through the thirties, the economy never got better until after World War II started; that all the government intervention may have actually prolonged the terrible Depression rather than helping. Here in this day and time we have people with the best of intentions, they want, truly, to make it better. There are others that we have here in Washington, part of the government that perhaps want to reward their friends. And that is not a partisan comment, that apparently is a bipartisan comment because we've seen it on both sides of the party issue.

But to be told repeatedly that this is a terrible depression, worst economy since the thirties, I was around in the late 1970s, I was around in 1980 and 1981. And so I gathered some numbers about those days. We had a 1973 oil crisis and a 1979 energy crisis. And we had, let's see, unemployment at 5.1 in January of 1974. And it rose, let's see, mild recession from January to July. But unemployment got to 7.5 and eventually got over 10 percent. And I recall thinking, when this guy Reagan started talking about—and I was in the Army at the time at Fort Benning, Georgia—and I heard him, and he was just such a gifted communicator, and he communicated confidence and a good feeling about this country. And it helped make America stronger when America felt stronger. There is so much to the mental status of the people of this country. But by 1979, inflation had reached 11.3 percent. In 1980, it soared to 13.5 percent. And here we had a guy, Reagan, who was saying in 1980 that as President he could bring down double-digit inflation, he could bring down double-digit unemployment, he could bring down double-digit interest rates.

I recall my wife and I bought our first house out near Fort Benning, Georgia. And my dad was concerned with the high interest rate being over 10 percent. And he said, you know, son, it just doesn't get any higher than that, why don't you wait until it comes down. And yet at the time we were selling our house after my 4 years at Fort Benning, there were people wanting desperately to absorb 12 percent loans because the interest rates had gotten so high. In fact, I've got some data gathered on that.

The Federal funds rate was about 11 percent in '79; it rose to 20 percent by June of 1981. The prime interest rate eventually reached 21.5 percent in June of 1982. And here was this candidate in 1980 named Reagan saying "I can help bring these things down." And I remember telling my wife at the time, "I like this guy." As a member of the Army, I could not criticize a Com-

mander in Chief because he was in the chain of command and that's a court-martialable offense. So you couldn't say anything critical about the Commander in Chief. But I was excited about this guy Reagan.

□ 1315

But I said to my wife, let's face it, there is no way one man, even the President of the United States, could bring down double-digit unemployment, double-digit inflation, and double-digit interest rates. I mean one man just can't do that. And these things started peaking through the late 1970s, 1980, 1981, and 1982; and lo and behold, he was able to turn things around. We had a massive tax cut, and the economy turned around and started going the other way. And lo and behold, double-digit interest rates fell below 10 percent, unemployment rates fell below 10 percent. Interest rates, inflation, all of those things came down, and I was wrong. Apparently one man could make that much difference.

Now, some of the folks know here, Madam Speaker, I like President George W. Bush. I think he is a good man, an honorable man, despite what some folks say. I like him. He's smarter than people give him credit, but as Jeff Foxworthy says, often when people who are not from the South hear a southern accent, they immediately deduct 50 IQ points from what they think the IQ of the speaker is. But when our Secretary of the Treasury convinced him to say, as the Treasury Secretary said, that we're about to have this terrible depression and we could have a stock crash like '29; in some of the private meetings, it could be that once the first bank fails, they'll all fail. We'll have a worse depression than the 1930s. We'll have all these terrible things. Those kinds of things when said from the highest people in the country can become self-fulfilling prophesies. You need to have Presidents that will come forward and say "The only real thing we have to fear is fear itself," as Roosevelt did. You need to spread calm and confidence. And there are obviously many issues on which I disagree with President-elect Obama, but one of the things we see about this man, as he prepares to take over the Presidency, he has a real gift for spreading confidence, spreading calm, and spreading hope, as he likes to say.

Now, we've been hearing a lot lately people trying to set the bar so low that anything he does will pass the bar, but the fact is we need all of our national leaders to be spreading confidence. You don't do that by saying, "Oh, we're in this terrible depression," because we are not. When you actually look at the numbers, we are in so much better shape as a Nation than we were in 1980. We don't have hostages being held in Iran and looking just so helpless to the rest of the country. President Bush has certainly made clear, and I think by some of President-elect Obama's appointments he has made clear to the

rest of the world, you don't attack us or we will respond. And so I hope that will continue. It's an important message. But we should not claim that things are worse than they are because that becomes self-fulfilling.

Though I have to say, by scaring Congress enough, there were about 60 Republicans and about three times that many Democrats who voted for the bailout bill mainly because the Secretary of the Treasury scared them enough into doing so. That's not a basis for making good judgments to help direct this ship of state.

Now, there's another \$350 billion of the original \$700 billion in TARP funds that were in that bailout bill. All that is required—and I know there are some who say, oh, no, in Congress we will get to have an up-or-down vote. The bill doesn't say that. The bill says all the Treasury Secretary has to do is file a plan. I mean, goodness, his plan could just say "I want to spend \$350 billion and send it all to my friends," and under the law if there is no vote disapproving within 15 days, he can take the money and spend it.

We have already seen \$350 billion squandered. Now, I know that Secretary Paulson had his department issue a report last week that says we have studied what we did and we think we did—no, they don't say "we think." They said, we did a great thing. We saved the economy.

Well, one of the things they were doing was spending hundreds of billions of dollars, we were told, to get more credit, to loosen up the credit. I have been sent copies of letters from banks that received billions and billions of dollars of taxpayer money and the letters say we're not going to be able to make car loans anymore, we're not going to floor plan dealers anymore.

Now, one of the things Congress has done that's been a problem is to force lenders to lend money to people who could not afford to pay it back. So I'm not in favor of doing that. I don't want to force lenders into making bad loans. But when billions and billions of American taxpayer dollars are extended to these huge banks, and at the same time I've seen press releases from those banks that say, oh, this will really help us to extend more credit, lend more money. This will help with the credit crunch, and then follow it up shortly thereafter by saying, we're not going to lend like we used to and we're holding money in reserve. It had absolutely the opposite effect of what it was supposed to have. So that causes great concern. It has not opened up lending. And the fact is this Congress could allocate \$2 trillion to Detroit auto makers, but if people cannot buy cars from the dealers and the dealers have all the banks pulling back floor plans saying, we're not going to help you get cars in to sell to other buyers, then it will be wasted money. You've got to have people able to buy cars or any money given to Detroit is absolutely wasted.

There was some criticism of Secretary Paulson, and I was one of those

who was appropriately critical, for not having more restrictions on the money that was given away. Some of it went to bonuses. Instead of extending more credit, some banks actually bought up competition, which means there will be less credit extended because there are fewer lenders out there to extend that money in the way of credit. So it had the exact opposite effect it was supposed to. And with all due deference to the Secretary of the Treasury patting himself and his department on the back for doing such a great and noble job, I just don't see it in what we've had happen here.

I've been joined by one of my colleagues from Georgia, a man I have the utmost respect for. He is someone in whom I have the greatest of confidence and admiration, and I know that when I have an idea, I'm better off running it by him before I float it out publicly. And so I would like to yield to my friend LYNN WESTMORELAND from Georgia.

Mr. WESTMORELAND. I thank the gentleman from Texas. It might not be your accent that hurts you with the points IQ, but it may have been your introduction of me. But it is good to be here with you to talk about the stimulus package.

I voted against the stimulus package, or the recovery bill, as I know you did and many others did, because we didn't see any real plan out there. And the only plan that we really heard, Madam Speaker, if you will remember, they said there was a bad automobile wreck, that this credit crisis was like a bad automobile wreck clogging up the expressway and that behind this accident there were trucks carrying student loans, automobile loans, mortgage loans, all different types of credit, and that because of this accident that those loans were not getting through to the people that needed them; so we need to spend \$700 billion. And I think at the time they said it was about a 5 percent bad mortgage of home loans, and there are about 80 million mortgages; so that's roughly 4 million loans. So this credit crunch was caused by these 4 million loans to spend \$700 billion. So we cleared the accident, or at least we were told that we were clearing the accident.

But the accident is not cleared, or if it is cleared, nobody has let the traffic through because there are people every day being foreclosed on because the banks that are getting this money, and one bank in particular that does business in Georgia got \$4 billion of TARP money and they are foreclosing on people every day. They are not giving people an opportunity to restructure their loans. They are calling more principal due on these loans. And I'm not telling a bank to make bad loans, but the reason that we are in this situation is because they originally made bad loans. What I think we're telling them is they need to clean up the bad loans that they made. They need to clean up their own mess. But now that they've got

taxpayers' dollars, they especially need to be using that for the intent that Congress gave it to them.

There was an article, and I think it was in the New York Times, this is the name of the article, December 17, "Fed Cuts Key Rate to a Record Low." It says: "Of much greater practical importance, the Fed bluntly announced that it would print as much money as necessary to revive the frozen credit markets and fight what is shaping up as the Nation's worst economic downturn since World War II."

And you addressed that. We're not necessarily in that economic downturn, and we're going to continue to print money until we unfreeze the credit market. Well, this first \$350 billion should have done something to help fall it out in the least, but people every day—I have got builders and developers, small business people in my district, the Third District of Georgia, every week calling me saying, we're going out of business.

A good friend of mine has been in the grading business. His family has been in the grading business for 57 years. He's been running it for the past 30 years. His father started it. He called me and he said, "Lynn, today is the last day we're going to be in business. I've got employees that have been with me for over 30 years that I have got to let go. What do I need to tell them about the bailout?"

This money is not getting through to these small businesspeople, and we need to make these lending institutions accountable. I talked to Chairman FRANK, and he said that they're going to come up with a bill in about the next 2 weeks or so to make these people accountable. And they need to be held accountable.

These are taxpayers' dollars. These are people's individual dollars going to this bailout, and they are not having the ability to even access any of the money. These banks are holding the money, and they're holding the money so they can buy small banks. I've had community bankers call me and say, we applied for TARP but we can't get it. We can't get the TARP money.

So do you think that some of the Big Nine are going to go into our communities, into Grantville, Georgia; or Griffin, Georgia; or Thomaston or Greenville, Georgia; and make somebody a loan that wants to open up a barber shop or wants to have a nail salon or wants to do an automotive repair shop? No. We depend on these community bankers, and right now these big banks are sitting around waiting on these community banks to fail so they can go in, gobble them up, and do away with our community banks. These community banks, some of them told me they voted not to get them. The gentleman from Texas, they voted not to take the TARP money. The Federal regulators came in and said, you need to take the TARP money. And then they applied for it and couldn't get it. We have got to stop this nonsense, and

we need to let the free market work. It will work.

□ 1330

It has worked. It will work again if we will just quit muddying the water.

Now I hear about this new stimulus package that the President-elect is going to come up with. He is going to create about 3 million jobs, and I heard today on the news, before I came over here, of 1.2 trillion, which means that each one of these jobs is going to be about \$400,000.

Now, I don't know about you, but that's pretty expensive for the taxpayers to create 3 million jobs at \$400,000 apiece. I would think that we might create, with that kind of money, we might create a lot more jobs than that at \$200,000 apiece, twice as many jobs. In fact, I know a lot of people today that would just love to have a job.

But the government creating jobs, 600,000 new government jobs, that's 50 percent of the people, exclusive of the Postal Service, that we employ right now. We are fixing to employ 50 percent more people.

Now, that's great that we are creating these jobs, but that means that this 600,000 people are going to have to continue to be paid every year and their insurance and their benefits. I am telling you, we are going down a real rocky road.

I am glad that the President-elect has realized that this economic situation that we are facing in our country today needs some attention. This Congress has tried to give it the attention. The current President has tried to give it the attention, but I think there has been too much love and not enough firm discipline that everyday citizen is out there facing, the firm discipline of not being able to pay your bills. They don't have the ability to print more money, and they are out there suffering.

We are not doing the suffering here. We keep printing the money and keep throwing it out there, and it keeps going to the big dogs. It keeps going to the people that made these major mistakes that leveraged some of these mortgage investments 45 and 50-1.

We are bailing them out, and the average guy is not getting bailed out. I have got a real good friend of mine that called me yesterday, he is in his early 50s, he has been in the real estate business and the building business along with me—he and I have been in it together for a long time—he is going to the police academy. He is starting the police academy. He is starting a new career because he cannot make a living doing what he's doing.

We need to wake up and to realize that if we are going to clear the wreck, if we are going to unfreeze this credit market, these lending institutions need to be accountable to us, the taxpayers, and make sure that they are taking this money and doing what they are supposed to do with it and not just paying their top dogs, their bigwigs, all

this money going to the resorts, sponsoring championship football games, buying banks in China for \$6 billion, but they are lending the money out.

I don't care if you have got a credit rating of 835, you are not going to be able to borrow a dime, because they are afraid. They don't want to lend it, and they are saving this money to help their balance sheets. This is no way to run a railroad.

It's not the intention that this Congress had. We need to do something to make these people that are receiving this TARP money accountable. We need to make them go back and correct the bad loans that they made and to make sure that the everyday guy out there that's furnishing this \$700 billion can have some type of benefit from it.

With that, I appreciate you giving me the opportunity to do this.

Mr. GOHMERT. Thank you, Mr. WESTMORELAND, for participating. You have made some great points.

You know I have talked to a number of builders there in east Texas, where I represent, back in September. I know things were tough in a lot of places in the country back in September, but the contractors were telling me they are doing okay, you know, it's just not fantastic, but they are doing okay.

As soon as we started hearing all the gloom and doom, I started to hear people say, you know, we were going to buy a house, we were going to build a house, we were going to buy a car. But since we are told we may be headed for depression, we are going to hold up and wait and see, you know, maybe sometime next year. We don't want to be buying a new house, or building a new house, or building a new building for our business if we are about to hit a depression.

So what happens? People quit buying cars, they quit building. Contractors say, you know, we always love when the phone rings, that means it may be somebody that's about to build another building. But, lately, they cringe every time the phone rings, because it means someone else may be calling to say we had talked to you, we were planning on building something the first of the year, but let's hold up and wait and see if this depression really is coming.

Let me tell you a little more about the 1980s when people say, oh, this is the worst since the 1930s. Actually, in 1980, there were approximately 4,590 State and federally chartered savings and loans institutions with total assets of over \$616 billion. Let's see, between 1980 and 1983, 118 S&Ls with 43 billion in assets failed.

Things were going badly in this country. Banks, S&Ls failing, S&L crisis, all kinds of things that had been built up, ready to start happening during the 1970s and in the early 1980s that began happening. Were it not for the foresight to have tax cuts, stimulate the economy, then things never would have turned around, but Ronald Reagan did a good job of doing that.

Now, as my friend, Mr. WESTMORELAND, read the quote, the Fed is print-

ing money. They are printing money like crazy. There are consequences to doing that, for those of us that really believe so many solutions can be found in history, because you can go back historically.

As Solomon said, there is nothing new under the sun. There is new technology, but there are not new issues. These things have all been tried and failed, succeeded. So you go back and you say, okay, this is what was done this year, that failed. This was done here, that succeeded. Let's go over the things that succeeded.

And we have seen over and over that if you want to create inflation, as we saw in the late 1970s and the very early 1980s, just print money like the Fed is doing now. We are very fortunate that we haven't hit a huge inflation rate in the last 2 months. And why would that be? Well, back last summer, we were paying \$4 a gallon for gasoline and now many of us are paying \$1.40, that kind of thing, for gasoline.

We are very fortunate that the price of energy failed at a time when we were printing money like crazy. But we cannot keep doing that. To print \$1.2 trillion over the next 2 years will devastate this country with inflation. We are talking about the 1920s. For those of you who remember your history, going back after World War I, Germany was in very, very difficult circumstances. Their economy was a real problem. They had elected officials, they were trying to turn things around.

They thought they could print money and print their way out of their economic troubles. And some people remember the illustration of people carrying wheelbarrows of money to the supermarket—wasn't supermarkets back then—but to the market just to buy essentials and food.

That's where this leads, when you just keep unabatedly printing money, like is being done now, the inflation will come. It will devastate this country. It is silly to be doing that when we know from history what happens.

If you really want to get scared, look what happened in Germany in the 1920s and going into the 1930s. The economy got so desperate because of all this inflation, they ended up electing a little guy with a funny mustache that was such a bigot and such a mean-spirited man, he devastated the planet.

Israel is having difficulty now, having rockets fired on them each day from the Gaza Strip from Hamas. During that little man with the mustache's regime, over 6 million Jewish people were slaughtered. Why? Because good people in Germany got desperate because of inflation, and they elected a man who was going to help with their economy, not realizing just how mentally unbalanced the man was, and millions and millions and millions, the entire world, suffered as a result.

This Nation has been the defender of freedom around the world. This Nation has been the most solid economy around the world. The world depends

on us to make good judgment in this body. And when we fail, it's not just those of us in this body that suffers, it's the Nation, it's the world that suffers.

It is so touching, and the older I get, the more I turn into my late mother, who just got teary-eyed and emotional about all kinds of things, it was deeply touching to see all the children, Madam Speaker, gathered up here around the Speaker's rostrum yesterday as we were sworn in, cute children, all races, both genders, just really neat, great, wholesome, bipartisan, Democratic kids, Republican Members' kids. But the thought that went through my mind is, if we don't change our ways, these are the sweet little children that as adults will pay, literally pay, for what we are doing.

We are running debt up on those little kids that they should never have to pay. For us to live now, that is so wrong. We need to be helping our children, not saddling them with more debt, and that's what an overzealous stimulus package will do.

That's why yesterday the first bill that was laid down on the desk over here to be filed was a 2-month tax holiday bill. I filed it in December, and I filed it again yesterday with this Congress.

It takes the 350 billion still remaining of the bailout bill, and section 4, it's not a long bill, it just has 5 pages, section 4, "Immediate Termination of TARP Purchase Authority." That is an important principle. It is time to end the authority that we gave to one person, the Secretary of the Treasury, with all of this unfettered ability to just squander money.

I mean, the main restriction in there was he couldn't bail out central banks of foreign governments. But, basically, you read through the bill—and I am afraid there weren't enough people that did—and it just goes on and on as the Secretary determines.

I tried to point out to people, we have never, since we had a Constitution, given that kind of authority to one man. We should never give that kind of authority to one man. It was a mistake. You don't give unrestricted authority like that to just go out and squander money.

No matter which party is in power, it doesn't matter in this country, the principles that made us great, the principles that caused the signers of the Declaration of Independence to pledge their lives and their fortunes and cause many of them to lose and give up their lives, their families' lives, their complete fortunes, was the principle that government does not need to have this kind of unrestricted authority. And yet the market dropped 777 points, and all of a sudden people who knew our history, knew the principles on which this Nation was founded, were all of a sudden ready to come rushing in here and give one man that kind of authority.

George Washington, before the Constitution, December 27, 1776, was given



that kind of authority. He didn't ask for it. He hardly used any of it. He used his leadership to persuade the soldiers to reenlist. That's why the bill was passed December 27, 1776.

The Continental Congress knew if these guys don't reenlist in January, we are all dead, and so will our families be dead. So that's why they passed the bill giving Washington this unfettered authority to spend money. He used his leadership to persuade them to reenlist, even in that terrible winter. That's leadership.

But as Washington said, a people unused to restraint must be led, they will not be driven. And too often in Congress we try to drive people instead of leading people. So that's one part of my 2-month tax holiday bill. It ends the authority.

Now, Madam Speaker, people need to understand that in this bill, the bailout bill that was passed in September, there was \$700 billion appropriated. To give another \$350 billion, all he has to do is file a plan, and we don't vote for 15 days.

□ 1345

My bill is funded by bringing that \$350 billion back into the Treasury. So, what did we learn historically from the tax cuts that President John F. Kennedy did, President Ronald Reagan did, and in 2003 President George W. Bush did? We will just overlook the last 4 months where we forgot our principles here in this administration. But you go back to those tax cuts, the economy was stimulated. And each time the revenue into the Federal Treasury did not decrease. It increased dramatically, because the economy went strong.

So there are two ways to raise revenue in this country. One is raising taxes, and then you have an immediate increase in tax dollars coming into the Treasury, but the long-term effect repeatedly we have seen it is to kill the economy. Or you can lower taxes and immediately stimulate the economy, and then as a result of the economy being stimulated, then more tax dollars than ever come in than even when you raise taxes.

So it is all what you want to happen long-term for the sake of our children and those to follow us, and that is why this bill says instead of the Treasury Secretary squandering, it doesn't use that term, of course, but that is what has happened, squandering \$350 billion, it allows the people who earned the money to keep it for two months. So, that is about \$101 billion a month that individuals pay into the U.S. Treasury in individual income tax.

Now, we really need long-term tax reform. We need to drop the capital gains rate, like Ireland did, to 12 percent, which has really helped their economy. I think their corporate tax rate is 11 percent, so businesses are flooding into Ireland.

I am sick and tired too of hearing people say we will never get manufacturing jobs back into America. That is

hogwash. Look around the world. Some of us went to China. What was the number one reason industry was moving to China, they told us, why they moved their industry? Yes, they said labor is cheaper, but we have better quality control back in the U.S. Our workers produce better products back in the U.S. But the corporate tax rate is less than half of what it is here. Lower the corporate tax rate. You will see manufacturing jobs flood back into the United States. That is what it is all about.

Some of them said, you know, they cut us a deal on corporate tax rates in China so we were able to build a brand new facility with state-of-the-art equipment and it basically was paid for very quickly out of money we didn't pay in corporate taxes, and now we are competitive again because our aging factories in the U.S. were costing us, and now we are state-of-the-art. All you have to do is lower the tax rate. Jobs will instantly appear.

Go after our own energy in this country. We know the energy rates are going to come up, and we need to do something about it now to produce our own energy so that we are doing that and this inflation cycle doesn't kill us.

Going back to my 2-month tax holiday bill, it says as far as the tax cut part, in the case of wages received for services performed during the period beginning in the first full month after the passage of this bill, the percentage of tax will be zero.

Now, I heard from some self-employed people who said, well, it is not going to help me being self-employed. I work just as hard or harder than anyone else, and yet I am not included. Yet that is not accurate. That is included. It says clearly in the case of self-employment income for service performed during the 2-month period, the percentage of tax will be zero. So there will be no withholding during the 2-month period for income tax, there will be no withholding for FICA.

I have gotten good suggestions. Newt Gingrich has been extremely helpful in suggestions and spreading the word, as Jed Babbin and Neal Boortz and Steve Morton, so many, many great thinkers have been helpful.

But President-elect Obama promised that if you make less than \$250,000, you will get a tax cut. Some of us have been concerned when we give tax cuts to people that don't pay taxes that that is not a tax cut, that is welfare. Under this bill, the tax cuts go to people that pay taxes.

There are, we know, people who do not pay income tax. They don't make enough. They work hard, they earn a wage, but it is not enough to get to the level of paying income tax. They still have FICA withheld from their check. Under this bill, no FICA will be withheld from their bill, and because the employee has no FICA taken out, then the employer who is struggling to make sure they keep people employed gets a 2-month holiday on paying FICA as well.

Some have said, well, this will hurt people on Social Security. No, it won't, because it specifically says that, and this is in section 3, funding of Social Security trust funds is with repealed TARP funds. It is covered. The \$350 billion doesn't get to be doled out for bonuses for the Nation's wealthy who have mismanaged their banks or their firms and then reward themselves with bonuses. It doesn't go there. It goes to the people who have earned it. So everyone who is working will get a tax break.

Some have said, well, I would appreciate having the withholding not taken out for 2 months, that will really help me for those 2 months, but it will hurt me at the end of the year when I have to pay that. They miss the point. There is no Federal tax for 2 months under this bill. Everybody gets a tax cut. So actually what this very short, very efficient bill does is exactly what President-elect Obama promised would be done, with the exception it doesn't have a \$250,000 cap on it.

Now, there are those I know who are doing well and are able to live off the dividend income and the interest income, and that is harder, of course, after the stock market went down. And God bless those folks. I am thrilled to death that you are in a position where you can live off of dividend and interest income. I would like to see across-the-board complete tax reform. But under this bill, this does not give tax breaks for unearned income like interest and dividend. This is only for wages earned during this time.

So if you are a hardworking American, you are going to get a tax cut under this bill. It does exactly what President-elect Obama promised. For anyone who pays any FICA, income tax, for 2 months you get that tax break.

Now, it is so ironic that the bailout bill was partly under the guise that we are going to give all these billions or hundreds of billions to banks so they can increase credit, make more loans, so people can refinance their loans and finance into the new refinance money what they are behind on so they don't lose their homes.

Well, I have talked to people who say if they could have their withholding from their check in their check for 2 months, they can catch up. A lot of people fell behind last summer when gas prices were \$4 a gallon. They get their withholding for a couple of months. I have seen figures that estimated if your family income, household income is in the \$60,000 range, you could get \$2,000 or \$3,000 over that 2-month period. So they could catch up on the mortgage and you wouldn't have to borrow more money to catch up on your mortgage. You could catch up.

I have had some people tell me, I want to get out from under this gas-guzzling car I have got, but when energy prices went up, the value of any car went so far down, now I owe more on my car than it is worth, so I can't

trade it in, because I don't have a down payment for another car. I would be without a car, so I have to keep paying on this gas-guzzler. I would like to get a more efficient car.

This would allow those people to buy a new car, a more efficient car. It is good for everybody.

But we come back to what I said earlier: If people cannot buy cars, then it doesn't matter how many trillions of dollars we give to the auto makers, they are going to still ultimately go out of business. And the trouble with bailouts is once you start giving money to anybody, whether it is a bank, an insurance company, whoever, once you start that process, you will always be able to find someone more deserving of a bailout than those who have already gotten money, and there becomes no good place to stop.

Well, when you love someone and you see that they are getting addicted to some substance, and as a judge I saw it, you see them getting addicted to something, then it is time to have an interdiction and say I love you too much to allow you to continue this addiction. We are not going to let you have any more of that.

Now, I was upset when we were talking about an auto bailout, because I knew the auto makers had been withholding hold-back money, rebate money, that they contractually owed dealers. They were putting dealers in a bind just because they weren't abiding by their own contracts. As I understand it, they have begun to catch up on that, and that is appropriate.

But to see then letters from major banks who have gotten billions of tax dollars who are now saying we are not going to be lending money for cars, we are not going to be lending money to dealers anymore, even though they are wonderful dealers, they have a good business, it looks like they will stay in business for good, we are just not going to lend anymore, that is such an abuse and 180 degrees from what was promised.

Now, some would say we should not get the Federal Government into the business of telling lenders what to do with their money, and I am one of those. However, the danger that every bank should have been told by their attorneys is, keep in mind if you take Federal money, the Federal Government is going to have their hand in your business and they are going to tell you how to run it, because they are a partner with you. And I happen to believe if we are going to put Federal money in something, we should have restrictions and tell people like a bank that this is what you can and can't do. Secretary Paulson did not do that.

But my preference is don't give away any more bailout money. Let's let the people that earned it keep it and let them decide who deserves to be bailed out and who deserves to have their products purchased. That is how a free market works.

When you look back, you see that an open government is a good thing, a free

market is a good thing. To my way of thinking, being such a student of history, it looks like from our founding documents the most important job that we have as a Federal Government is to provide for the common defense. Then, beyond that, this Federal Government should create a level playing field, punish cheaters, make sure everybody plays fairly, and then let them play. That is what we need to be doing, and we have gone so far in excess of that.

This government, when I heard that we were going to encourage a car czar, I couldn't believe it. I mean, we can't even do a good job of designing our own I.D. card. Can you imagine what we would do with cars? Good grief. We should not be in that business.

So I would encourage people, Mr. Speaker, who believe that they would do a better job of spending their own money, to contact their Representative, contact their Senator, call the Capitol Hill operator and they can be connected to their Representative, their Senators, and that would go a long way toward getting this bill to the floor and getting it passed. Because it is not an issue of if the money will be spent, it is an issue of will the Treasury Secretary squander it on your behalf, or will you be able to use your own money to help get this economy turned around.

#### REVIEWING THE NATION'S LONG-TERM ECONOMY

The SPEAKER pro tempore (Mr. YARMUTH). Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

Mr. WOLF. Mr. Speaker, I have been concerned about the financial future of our country for some time and in 2006 introduced a bill to set up a national commission to review our Nation's long-term economy, including mandatory entitlement spending, discretionary spending and tax policy. It is bipartisan. We have well over 100 members from both sides of the aisle.

□ 1400

The bipartisan Cooper-Wolf SAFE proposal was similar to the commission proposal by Senator CONRAD and Senator Judd Gregg of New Hampshire, would be bipartisan and a way to review entitlement spending and force the Congress to act. The commission has over 100 cosponsors during the last Congress.

We've all read, Mr. Speaker, the stark figures of the 2008 Financial Report of the Federal Government. Even more telling is, during the month of October and November, for the first 2 months of this fiscal year, the Federal Government piled up \$401 billion in red ink, and we're on a pace to surpass the fiscal year 2008 deficit of 455; in 2 months almost we're going to rival that.

And yesterday, President-elect Obama predicted a \$1 trillion deficit, he said, "for years to come."

Now, does anybody really care? It just seems that this institution continues to go and do what it's done in the past. In the past few days, numerous sources have reported that the economic stimulus is expected to cost \$675 billion, and some are saying up to \$1 trillion.

Mr. Speaker, whatever package is voted on, Congress has the obligation to their children and their grandchildren and to their constituents to find a bipartisan way to address the Nation's looming financial crisis by including a mechanism to deal with the underlying problem, what is now on auto-pilot spending. If we don't do this in this Congress when we're doing the stimulus, I think both political parties in this Congress, the 111th Congress, will go down as the Congress that refused to deal with the fundamental issues that are facing this country.

There's the Simon and Garfunkel song, The Boxer, that says "Man hears what he wants to hear and disregards the rest."

This Congress disregards the overwhelming debt that we have faced in this Nation. I have here, Mr. Speaker, a bill issued by the Federal Reserve of Zimbabwe in July of last year. It's \$100 billion. \$100 billion. It won't even buy a loaf of bread. Is this the future of our country?

And if this Congress, and let me just say to my colleagues on this side, if our party doesn't deal with this issue, and they don't deal with this issue then, frankly, this Congress will go down in Congress' history as the Congress that's neglected to deal with these fundamental issues.

So many say, why a short-term stimulus simultaneously with this? Well, it takes two legs to walk. If we can demonstrate that we are dealing with the entitlement issue now, that may very well get whatever short-term thing we're going to do to demonstrate that we have the commitment to make it work.

Isabel Sawhill, Senior Fellow at the Brookings Institute, has likened the situation in our country, she said, to "termites in the woodwork, slowly eroding our strength as a nation."

I recently read a speech by Richard Fisher, President of the Federal Reserve Bank of Dallas; it's called Storms on the Horizon. It's a sobering account from a monetary policy point of view of why deficits matter. And it is frightening. I put it in the CONGRESSIONAL RECORD every day. I would hope Members of Congress could read it.

But what he said is doing deficit math is a sobering exercise. It becomes an outright painful one when you apply your calculator to long-term fiscal challenge posed by entitlement programs. Then he goes on to say that we are facing catastrophic conditions. Our children, our grandchildren, our constituents are facing a catastrophic condition if we don't act.

Some people say we need regular order. Frankly, if we don't do this in a

bipartisan way, 8 Republicans, 8 Democrats, similar to what we did on the Iraq Study Group, frankly, I think this Congress will not have the courage, the foresight, the ability to vote on these issues to deal with it.

So what we are saying is a massive package up-or-down vote, 8 Republicans, 8 Democrats, this bill was drafted by the Heritage Foundation, by the Brookings Institution, supported by David Walker, supported by David Broder, by David Brooks, by economists all over the country, and then it uses the language that is in the Base Closing Commission that requires, because if you don't require this institution to act it will not act. It will find all the reasons it can to neglect it. It will require it to act in 60 days.

So I say to my colleagues on this side, if we're going to deal with this stimulus, we'd better have our own ideas and put up for a proposal, which I will do unless I'm tied and gagged, I will offer a motion here to force us to vote on this.

And I say for the other side, I ask you to do the same thing so we could come together in a bipartisan way so when we leave this Congress we know that we have truly dealt with the entitlement issue and saved America for our children and our grandchildren and future generations.

#### OUR ECONOMIC SITUATION AND FOREIGN POLICY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. SHERMAN) is recognized for 60 minutes as the designee of the majority leader.

Mr. SHERMAN. I will take much but not all of this hour to speak. Roughly, the first half of the presentation will be on our economic situation. The second half will focus on foreign policy.

I know that I have a number of colleagues that may have important things to say to this House, and if they come to the floor, I'll be happy to yield them a few minutes at a time that is convenient for them.

Even with this long speech, I will not be able to cover all the details that I'd like to provide to my colleagues. Therefore, I invite all my colleagues to visit the relevant portion of my web page, [bradsherman.house.gov](http://bradsherman.house.gov) for more of the details of the matters I'll be discussing here.

In talking about our economy, I will divide my speech first to talking about matters relevant to the Financial Services Committee, on which I've served for 12 years, and particularly the bill known as TARP, or EESA, the Emergency Economic Stabilization Act, best known to the public as the \$700 billion bailout bill.

The second part of my economic presentation will deal with the stimulus package now being put together, particularly by the Committees on Appropriations and Ways and Means.

Now, I was a critic and twice voted against the \$700 billion bailout bill, the so-called TARP. The supporters of that bill will have to admit that it has not restored our economy as the proponents had advertised, and, in fact, some of the worst times for the economy were the 2 to 3 weeks following its passage.

On the other hand, those of us who were critics should admit that the bill has, frankly, cost the government far less than I had anticipated. When I say cost, I don't mean just how much is spent, but from that must be subtracted the value of the securities, the bonds and the stock certificates received by the Federal Government.

In this case, Secretary Paulson misled this House and the other body by testifying that he would use the \$700 billion to buy toxic assets, bad bonds. Had he done that, and all of us voting on the bill had every reason to believe that he was telling us the truth, had he carried out that policy, then he would have bought, for the money he had spent, whether it's the 350 billion he has spent so far or the 700 billion that I feared he would spend, he would have spent that money in return for assets of dubious value. That's why they're called toxic assets.

In contrast, having misled the House and the other body, Secretary Paulson bought preferred stock in the various financial institutions. In doing so, he was overly generous to Wall Street as to the terms, but, nevertheless, he did secure assets for the Treasury that are of substantial value.

Paulson's shift, frankly, was right along the lines that many of us who are critics of the bill had urged him to adopt. And so those who supported the bill, those who are critics of it, must both recognize that what the Treasury has done so far is far different from what all of us believed would, in fact, be the policy.

Now, we see that \$350 billion has been expended by the Treasury, and another \$350 billion remains unspent. I am pleased that the Secretary of the Treasury has not yet taken the procedural actions to release and give himself control of the remaining \$350 billion.

It is my understanding that leadership will bring to this House a bill that will release the \$350 billion to the Treasury and will impose additional conditions. And I'd like to take a few minutes to address what I think ought to be in that bill.

First, is the issue of whether any of the funds to be released, any of that second \$350 billion, will be available to the Bush administration. Last month I wrote the chairman of the Financial Services Committee saying that we should have limits on the amount that could be spent by the Bush administration out of the second \$350 billion. In fact, I proposed that only \$10 billion or less be available to the Bush administration to deal with whatever exigencies it dealt with in its waning days. It

is my understanding that the bill that will be brought before this House will provide the Bush administration with \$0 to deal with whatever comes up in its last week or so in office.

In any case, I think, having seen Paulson in action, the vast majority of this House would believe that somewhere between 95 percent and 100 percent of the second \$350 billion, if it is made available to anyone in the executive branch should be made available only to the Obama administration.

I should point out something about process. It would be best if any bill dealing with the second \$350 billion was actually dealt with in regular order.

Now, I'm not saying necessarily that every committee of possible jurisdiction should do a full markup, but as we deal with this economic crisis, at least the primary committee as to each bill should have a markup so that Members can be heard, and the House can work its will.

In addition, I would hope that the Rules Committee would allow a reasonable number of amendments to be considered on the floor.

In addition, I would hope that the Financial Services Committee would give the same scrutiny to the financial institutions who have received and are likely to receive additional bailout monies as we gave to the executives of the three automobile makers.

We need extensive hearings. We need to bring the titans of Wall Street down, and we need to have these hearings at both the full committee and the subcommittee level.

We do not want to give further credence to the accusation that Congress and the administration have two standards for scrutinizing bailout requests, one for those who shower before work and a more severe standard for those who must shower after work. We should have at least the same amount of scrutiny to an industry that has already received the bulk of \$350 billion as we provided to an automobile industry that is requesting amounts less than 5 percent of that amount.

Now, what should we provide in the way of restrictions to those who obtain bailout funds or retain the bailout funds they have already received?

Federal dollars should be expended to bail out private interests only on the toughest terms. Taxpayers should demand the highest yield, the largest equity upside, the strictest limits on executive compensation and perks. Even when we bail out individual homeowners rather than big time executives and shareholders of major companies, the Treasury should get a large share of the profit that they earn when they sell their homes.

Why is it so important that we are tough on those who seek bailout funds? There are three important reasons. First, being tough will increase support for the program. The public is currently focused on executive compensation and perks. I think it will soon focus on the value of the securities the

Treasury is receiving, including warrants that represent the upside, the potential profits of a company that is receiving bailed out funds.

□ 1415

We need public support for the enactment, and there is considerable public skepticism. In talking to my colleagues, I find very few who are enthusiastic about releasing the second \$350 billion to the executive branch, and I find, while most of my colleagues believe that we need a stimulus package, there is real reluctance to adopt one as large as that being recommended by so many prominent economists. We can achieve that support in this House and in the public by being tough on those who receive bailout funds.

Second, being tough on those obtaining bailout funds will help to limit the number of people seeking to be bailed out. Not even the Federal Government can afford to fund all of the bailouts that will be demanded if executives see the Federal Government as a source of easy and cheap money.

Third, getting a good deal by tough negotiations with anyone receiving a bailout will reduce the amount by which we are increasing the Federal deficit. We will be expending hundreds of billions of dollars now. I'm just addressing the \$700 billion piece that is half completed. There will be other expenditures. We need to reassure our children, and we need to reassure the international markets that we are acting responsibly to minimize the increase in the Federal deficit.

Now, some of the expenditures being made out of the TARP funds are going to be money lost forever. It's going to be buying assets that turn out to be worthless or investing in companies that go bankrupt. That is why we need a very large upside on those of our investments that are successful. Typically, the Federal Government obtains an upside by obtaining warrants from the companies it provides bailout funds to. These allow the taxpayers to reap the benefits of a company's success when it returns to profitability and when that profitability is reflected in its stock price.

I believe that, in the negotiations with Wall Street, Secretary Paulson has been far too generous to his friends in the financial services industry. Given the tremendous risks the Federal Government is assuming, taxpayers should be receiving far more of the upside in return for their investments.

For example, in the recent bailout of Goldman Sachs, the taxpayer received half the rate of return and one-sixth the warrants that investor Warren Buffett was able to receive on a similar investment that he made in Goldman Sachs for his fund.

The Emergency Economic Stabilization Act gives the Treasury too much discretion as to what to demand in the way of warrants. While the Treasury is required to obtain warrants when it in-

jects capital into financial institutions, it can accept as few warrants as it likes.

The Treasury has adopted a one-size-fits-all approach, which provides the Federal Government with warrants equal to 20 percent of its investment when it buys preferred stock in a financial institution. Not even this 20 percent is required by the statute, and this 20 percent is often way too low because those healthiest banks on Wall Street were willing to give us 20 percent. Clearly, the riskier banks on Wall Street that got bailout funds were not adequately compensating the American taxpayer for the risk we are taking because they only provided 20 percent warrants, a figure that might be appropriate for those financial institutions that are low risk.

The question is: What can we do in a statute? Clearly, we hope that the next Secretary of the Treasury will drive a tough bargain whenever investing our taxpayer dollars in private firms, but we can do something in the statute.

At a minimum, we should include language that was in an early version of the House bill dealing with the automobile relief that requires warrants of at least 20 percent, and we should make it clear that this 20 percent is a floor, not a ceiling. We should direct the Secretary of the Treasury to demand warrants that fully compensate the taxpayer for the risks being taken in any particular deal.

Then we turn to the issue of executive compensation and perks. These are very important to taxpayers and are important in deterring those companies that don't need a bailout from coming to Washington in their private jets, hats in hand.

Now, the bill, as interpreted by the Bush administration, has allowed multimillion dollar salaries to continue to be paid to the very executives who drove their companies into the ditch, and the Bush administration has chosen to impose no limits on perks. In particular, the Bush administration has ignored section 111(b) of the EESA, also known as the TARP bill.

That section states: Where the Secretary determines that the purposes of the act are best met through direct purchases of troubled assets, the Secretary shall require that the financial institution meet appropriate standards for executive compensation and corporate governance.

Virtually all of the \$350 billion that the Secretary of the Treasury has expended has been pursuant to his determination that we could best be served through direct purchases of troubled assets. He has not done an auction, which was the main part of the bill he was trying to sell to us. Instead, he has simply made direct purchases of assets from companies, negotiated one at a time. In those circumstances, the law requires that he shall require that the financial institution meet appropriate standards for executive compensation and corporate governance.

What has Secretary Paulson done?

He has allowed multimillion dollar bonuses to be paid to the executives of AIG. He has allowed million-dollar-a-month salaries to continue to be paid to executives of bailed-out Wall Street firms. He has allowed all of those entities to continue to operate fleets of private jets. Despite getting our money, Goldman Sachs spent almost a quarter million dollars a year to provide a limo for one executive. This does not constitute appropriate standards for executive compensation and corporate governance, nor should Congress simply punt to the executive branch what those appropriate standards should be.

Instead, we should provide by law that, if a company gets a Federal bailout, the firm must limit its total compensation package to any executive to no more than \$1 million per year for as long as the firm is holding our money. The limits should apply to the whole package of compensation—salaries, bonuses, pension plan contributions, and stock options. In particular, a huge grant of stock options to an executive at this time could be a bonanza—and an unjustified one—because right now all the stock prices of Wall Street firms are at depressed levels, and an option given to an executive to buy shares of stock for \$1 or \$2 a share could turn out to be more valuable than a ton of winning lottery tickets.

To the extent any existing contract provides for executive compensation in excess of that which is allowed under statute, I suggest that the bill provide that that contract is void as against public policy.

Now, let us turn to perks. We should limit luxury perks like corporate jets and chauffeured limousines. We should prevent these while any firm is holding taxpayers' money. I'll point out there are firms on Wall Street that got money from Paulson that said, "Hey, we signed up for the money. We never knew you were going to get tough with us." Fine. You don't like the new rules? Give us back our money; but if you retain taxpayer money, then you should not, as Goldman Sachs has done, be paying a quarter million dollars in a year for a chauffeured limousine service for one executive. If the firm's executives don't want to take off their belts and their shoes and go through airport security like the public does, then that firm should not receive and should not retain a bailout, and it probably doesn't need one.

For as long as those bailout funds are outstanding, we should prohibit firms from owning, leasing or chartering luxury jets or from maintaining a fleet of chauffeured limousines. We should provide exceptions for chartering planes to travel to remote areas, areas remote from scheduled air service, and we should allow some sort of driver and auto to be provided to those executives who face severe physical challenges.

We may also want to provide limits on how much the company reimburses its executives per night for any hotel

room—a maximum amount of \$500 comes to mind—or per meal for any meal. Perhaps it should be \$100 per meal. I hate to get down to this level of specificity, but Wall Street has proven that they will squander the money taxpayers provide their firms on lavish parties and fancy travel if we are not specific.

It is possible that the auto bailout bill that passed this House will be used as a model for limiting executive compensation and perks. If that's the case, we had better strengthen it first. We had better make clear that the limits on bonuses apply not just to cash bonuses but also to grants of stock options. We should limit the total compensation to \$1 million a year, and we should limit the use not just of leased or of purchased luxury aircraft but also of chartered luxury aircraft. Finally, we should have appropriate limits on limousines.

Let me point out that some of my colleagues have noticed that I was tough on the auto executives who used their private jets to come to us the first time.

One of those companies has told me very explicitly: "Sherman, the law may say that we can't own the jets; the law may say we can't lease the jets, but the law, as passed by the House, says we can still charter the jets, and our CEO is never going to fly commercial."

That's fine unless that firm receives bailout money. Once it does, we have to limit it. We can't play a shell game with the American people. Oh, we'll limit the luxury travel, and then just have the company charter the jet instead of lease the jet. That would be a fraud on the American people.

There is one other important improvement that we need to make to the TARP bill. You see, after that bill passed, the Treasury adopted, as I mentioned before, a plan to buy preferred stock, in particular, of financial institutions. The next administration will probably use a good chunk of the money to go back to the original plan, which was to buy bad bonds—toxic assets—from the financial institutions. Then we have to be worried. If we're buying bad bonds, at least we should buy bad bonds owned by American investors. It is not the purpose of this bill to bail out banks in London and in Riyadh and in Shanghai.

I want to make a technical distinction. I have no objection to our treating as American companies such firms as Hancock Insurance and Fireman's Fund that happen to be owned by a foreign parent. We should look at what company is on American soil, and we should provide appropriate bailouts to the companies on American soil, but what we should not do is start bailing out banks in Shanghai, London and Riyadh.

Under the bill as we passed it from this House, the Bank of China can sell a portfolio of toxic assets to any U.S.-headquartered entity whether it owns

that entity or not. It could be a small branch that it owns in my State of California or it could be some big bank on Wall Street that it does not own, but the Bank of China can sell a portfolio of bad bonds to a U.S.-headquartered entity on Monday, and under the bill we passed, that entity can sell those same bonds to the Treasury on Tuesday. I call this the China two-step. It is a mechanism by which we will end up bailing out the bad business investments, not of U.S.-based companies, but bad bonds which are held in safes in Shanghai and in London.

Our new legislation should provide that the Treasury can only buy assets—bad bonds, mortgages—proven to be held by a U.S. entity—whether it's a foreign-owned entity or not, an on-the-ground, in-the-United States entity—on September 20, 2008.

□ 1430

We should only be buying the bad bonds that were in safes located in America on September 20, which is the day that Paulson went public with the need for a bailout bill.

Now, I look forward not only to reforming the TARP bill but also using that reform as an opportunity to pass other legislation within the jurisdiction of the Financial Services Committee that can help deal with this economic crisis. And I want to point out, first, things that we can do that won't cost the treasury a penny, because before we start spending trillions of dollars, we should say, "What can we do to get out of this mess that doesn't cost us anything?"

There are a couple of opportunities.

First, we can increase the amount of business lending that can be made by credit unions. Right now, we limit credit unions severely as to how much business lending they can do. We could, for the duration of this crisis, allow those credit unions to make those business loans to small business: \$100,000 loans, \$150,000 loans. I'm only talking here about smaller loans to small businesses that need them. We need to allow businesses in all of our districts to get that \$100,000 loan that they need to expand or even to stay in business. And it is just folly for us to take one of the healthy groups of financial institutions in this country namely, the credit unions, and tell them they can't make the \$100,000 loan that is desperately needed by the small businesses in our respective districts.

Second, we need to increase the conforming loan limit. The conforming loan limit is the size of the loan that can be purchased by Fannie Mae and Freddie Mac. Those are basically the only loans that are being made today. And the cost of housing differs tremendously from one region of the country to another, even in these tough times when of course in most regions prices have gone down.

Last year, we raised the conforming loan limit to \$729,750 for high cost

areas, but we allowed that increase to expire effective on the first day of this year. We need to restore that at 730, perhaps raise it to 750. Now, this will not cause the Federal Government to lose a penny because Fannie and Freddie actually make a profit on the larger loans. They suffer losses or have suffered losses on the smaller loans.

One way we can help replenish the money that Fannie and Freddie have lost is to allow them in high cost areas to do loans at the \$750,000 level. That can be so critical for some of our big cities where declines in house prices have so badly affected local economies.

Now let me turn my attention to the stimulus bill, the bill that will basically be crafted by the Appropriations and Ways and Means Committees.

First, I want to approach the general principles that should be covered under that bill, and then I want to comment on specific ideas that are being put forward in light of those principles.

Mr. Speaker, this country faces the specter of depression. A deflationary cycle threatens a long period of economic contraction. We need an enormous immediate economic stimulus. But unless that stimulus is well designed, it may not pass Congress. Unless it is well designed, it may not achieve its objectives. And unless it is well designed, it may sow the seeds of a future disastrous decline in the value of the dollar.

So we have to make sure that the stimulus bill is big and fast but also tough, temporary, and self-reversing.

What do I mean by "tough"? As I have said, Federal dollars should be extended to private interests only on the toughest terms. And I have indicated there are three reasons for that.

First, we've got to discourage everyone from seeking a bailout or from believing that they're suckers for not seeking a bailout.

Second, we need to increase public support for what will be a highly contentious and difficult-to-pass stimulus bill. It will be much easier for Members to vote for such a bill if it provides the toughest terms to those who are receiving extraordinary Federal largess.

And finally, as I pointed out, by getting warrants, by getting other securities that give us a share of the upside, we will be in a position to decrease the increase in the deficit occasioned by the stimulus package.

Now let's talk about why the bill must contain provisions so that the stimulus is temporary and reversible. Self-reversing, in fact.

Keynesian economics offers a simple prescription for the difficult times we're facing now. That is to say, easy money now and fiscal and monetary austerity after the economy improves.

How in good conscience can we vote for a massive economic stimulus now if we believe that it is unlikely that Congress will adopt austerity later? We in Congress love handing out money. We know that. We love tax cuts, and tax rebates, and tax holidays, and tax fiestas, and benefit expansions, and subsidies, and bailouts, and infrastructure

projects, and aid to States, and aid to cities and Rite Aid, Kool-Aid. We like spending money.

Can we count on future Congresses to discontinue and then reverse the fiscal expansion that is necessary today? What I fear is going to happen is that the advocates of fiscal responsibility—and I count myself among them—may prevent Congress from giving us the full level of economic stimulus that we need now. I fear that the stimulus will not be as big and fast as we need now. And simultaneously, I fear that the advocates of tax cuts and the advocates of free spending will prevent us from turning off the spigot later.

To avoid this outcome, the stimulus package should be both temporary and self-reversing. The same statute which provides a huge amount of stimulus should also provide particular identified tax increases and expenditure cuts that will go into effect automatically in the year 2013. The statute could and should provide that those automatic provisions would be delayed if we failed to achieve 3 percent economic growth in the year 2012.

Now, of course I can't know today what is the best budgetary policy for this country in 2013. We would have to fine tune or change anything that we write today as 2013 approaches. But we need to give the upper hand to those who would advocate fiscal responsibility after economic growth has resumed.

If austerity in 2013 is mandated by a statute that goes into effect, then the advocates of fiscal responsibility will have that upper hand and can negotiate with our colleagues to make sure that we get the kind of austerity that should follow the fiscal expansion that we need now. Only if an economic stimulus proposal is tough, temporary, and self-reversing can we generate the political will necessary to adopt a proposal that's big enough and fast enough. Only if stimulus measures are temporary and self-reversing can we make sure that the actions we take this month do not eventually lead to inflation, higher interest rates, a declining dollar, and an enormous and permanent increase in the Federal debt.

So these are the principles that I think should guide us with regard to particular elements of the stimulus bill.

Now let us look at particular proposals. Are they efficient? Do they get money into circulation quickly? Does every dollar we spend or forego get into the economy and get in quickly?

Second, is the money spent for a good purpose?

Third, does the money stay in the United States, or are we going to be spending money at the Federal level that goes to simply finance our trade deficit?

And finally, are the provisions temporary and self-reversing?

First, let us talk about aid to States. This is, I think, the most important

element of the program because what could be worse for an economy facing contraction than to see our police officers and teachers being laid off by State and local governments just when we need to keep people employed.

If we provide aid to States, what about the efficiency? I think every State government is going to spend that money effectively. Those States that don't need it may choose to save it for the future, but there are very few of those. Will the money be put to good use? Yes, to keep teachers and firefighters and police officers on the payroll and all on the job. Will the money stay in the United States? One hundred percent of it stays in the United States.

And, of course, this would be temporary. If we wanted, we could even make it self-reversing. Most States are not allowed to borrow money from the Federal Government by their own constitutions, but what we could do is change the reimbursement formulas so that we take a bigger share of the Medicaid budget than we do now and let the States save money on that with the understanding that come 2013, not only does that formula go back to where it was, but it may even swing in the other direction and be adverse to the States.

They could plan for this. This would be a way to make the proposal of State aid even self-reversing. But if it's not self-reversing, it will be temporary. It will be efficient. It will be a good use of money, and the dollars will stay in the United States.

Second is the possibility of tax rebates to consumers. This is money that will be well spent by America's families who need it. But we cannot be sure that they will spend it. It may be saved, and we have to expect that of the portion of it that will be spent, much of it will be spent on foreign-made goods. So it may be important to provide these rebates to consumers in our society. It will help keep the retail economy going, keep our shopping centers from going bankrupt, et cetera. But let us remember that a chunk of that money is going to go overseas.

A third element is business tax breaks, and here we have to draw a distinction between those business tax breaks, which we in the tax world call "timing differences," and those that are permanent tax reductions.

What are the timing differences? Timing difference is when you give somebody a deduction today that they would otherwise get tomorrow anyway. You have simply changed the year in which they get the tax reduction.

There are two proposals on the table from the Obama transition team that fit this bill. One of those is changing the rules with regard to investments up to, I believe it's a quarter million dollars, to let smaller businesses write this money off in the year in which they spend the money. In the absence of a special provision, they would have to capitalize that money and write it off as the asset they purchased is used up, as the machinery wears out.

Well, we want to encourage businesses to invest now, and ultimately it costs us little or nothing. Yes, we give them the deduction right now this year, otherwise they would take it over a period usually of 5 years. Why not give them the deduction now? The ultimate increase in the deficit over 5 years is very small.

□ 1445

Now, it is true that there's a time value of money. Not getting tax dollars today and getting them instead several years from now, that used to be thought of as a cost to the Treasury because you have to pay interest on the money the Federal Government borrows. But today the Federal Government is borrowing money for amazingly low interest rates, some at the rate of zero, and so the fact that we will get the tax dollars collected from businesses 2 or 3 years from right now, rather than immediately, scarcely increases the Federal deficit.

Another issue is net operating loss carryforwards and carrybacks. These are companies that made money during the last 5 years. Now they're losing money in 2008 or they're going to lose money in 2009. Current tax law allows them to write off those losses chiefly against money they make in 2011, 2012, future years. We should allow these companies to carry it back, to use these net operating loss deductions now to offset the taxes they paid in prior years.

First, I regard this as fair. Any accounting theorist will tell you that the use of the 1-year accounting period is arbitrary, that companies make and lose money in cycles. Business cycles often last many years, and so you cannot say that it is anything but artificial to say, well, you made money in 2007, you lost money in 2008. No, you made and lost money over a period of years that we have artificially divided into 12-month periods. So saying that you have to pay money on the taxes you made in 2007 but cannot get an immediate refund of those taxes when you discover that really over the 2-year period you've lost money is not consistent with good accounting theory. We should allow net operating loss carryback.

The other thing is these net operating loss deductions. They're going to be taken at some point. We might as well let them be taken now, and the ultimate increase in the deficit is very small.

So those are two provisions that I think will encourage business and will provide a lot more money in expenditures today than an ultimate increase in the deficit over a 5-year period.

So I look forward to working with my colleagues on economic policy. I will have more details of what I've talked about on the Web page, [bradsherman.house.gov](http://bradsherman.house.gov). This is the beginning of a dialogue on how to deal with the greatest economic crisis that we have faced in the lifetimes of all but the oldest Members of this body.



## FOREIGN POLICY

At this point, Mr. Chairman, I'd like to focus on foreign policy and particularly the Middle East. Again, I would point out that if there are colleagues that would like me to yield them a few minutes and they happen to be on the floor, they need only get my attention.

Now, I want to commend the Bush administration for its support of Israel during this difficult period. Now, the press, as is often the case, is beating up Israel due to its lack of understanding of what is happening and how to interpret it.

First, let us remember that over the last several years Hamas has sent nearly 7,000 rockets into Israel. That's 7,000 times they have attempted murder. But the press would have you believe that those attempts at murder don't count because most of them were unsuccessful. This is absurd. The malice is demonstrated by the attempted murder, and I use the term "murder" explicitly here because every one of those rockets was fired with only one intention: kill Israeli civilians. Not a single one of those rockets was targeted at anything military. The fact that they haven't killed 7,000 Israelis does not reflect well on their morality. It may reflect poorly on their aim.

Second, and this is under-covered by the press, the United Nations has stated that roughly three-quarters of the casualties in Gaza are of terrorists—military, gun-toting, Hamas terrorists. This is a true tribute to the tactics used by Israel because Israel has done everything possible to avoid civilian casualties. Hamas has done everything possible to increase civilian casualties. Again and again, they fire rockets from the middle of schools, from the middle of hospitals, from the middle of residential neighborhoods.

I mean, these people live very close to each other. Israel actually has the Gaza phonebook. They will call a house and say, We know military supplies are being stored there, we're going to hit this house, you've got 10, 20 minutes to leave. And what happens? Hamas forces civilians up to the rooftops.

Perhaps one of the best-known examples is the highest level Hamas individual to be killed by Israel. At his home he stored rockets and Israel knew it. He announced publicly that he wanted to be a martyr and that he, himself, would be at his home. And Israel called that home and said we want to avoid civilian casualties. We have to hit that home because we know that rockets are being stored there, you have time to leave. What did this Hamas leader do? He forced and brought together his four wives and their many children and insisted that he be allowed to die as a martyr and that as many of his family members would die as possible in order to increase civilian casualties.

Now, it is well-known that Israel is allowing trucks of supplies to get into Gaza. This is usually known by press critics who say Israel didn't allow a re-

supply truck in at this particular hour; they made the truck wait a couple of hours. Let us compare this to the wars we are most familiar with: World War I and World War II.

During each of those wars, Britain used its entire navy to cut off every German civilian from food imports and any other kind of import. And Germany deployed its submarines with the sole effort of depriving the British of the food imports they needed from chiefly the New World.

So, in the wars we're most familiar with, both the good and the bad side did everything possible to stop civilian supplies from getting into Germany or Britain. Compare that to an Israel that protects the trucks as they go in.

With that, I'd like to yield to the gentleman from Georgia (Mr. BROWN).

Mr. BROWN of Georgia. I thank the gentleman for yielding. I appreciate my Democratic colleague for bringing this very important issue to the forefront, and I support your effort to do so, and I trust that we across the aisle can continue to support Israel.

In the Torah, in the Old Testament of the Bible, we read: Blessed is the Nation that blesses Israel, and cursed is the Nation that curses Israel. We as a Nation have been extremely blessed by our creator, by God, and I believe a big part of that, a huge part of that is because we have blessed Israel and supported Israel. These people are under attack by terrorists who consider Jewish people dogs, less than human, and we need to support Israel.

I highly congratulate my Democratic colleague for bringing this forward, and I encourage our colleagues to continue to support Israel, to continue to do what we can to make sure that the Israeli citizens remain safe against these heinous attacks by Hamas, by Hezbollah, by the Iranian people who are funding both organizations. So we need to absolutely continue to support Israel so that God will continue to support America, and I congratulate my colleague for bringing this forward, and I look forward to working with you to continue to support Israel.

Thank you.

Mr. SHERMAN. I look forward to working with the gentleman from Georgia and thank him for his remarks.

Any discussion of the morality of war sometimes gets off on what I think is a sidelight. People always want to criticize this or that sergeant, this or that gunner; oh, you shouldn't have responded this way to rocks being thrown; oh, your attempt to return fire to a Hamas rocket site was off by 10 yards or 20 yards in the direction of a civilian location.

We have to remember, the moral responsibility for war and for the deaths of war cannot be placed at the feet of this or that sergeant making this or that decision under life-threatening conditions. The moral responsibility for war and for its casualties must be placed on politicians who seek extreme

and unjust objectives through violent means.

Here's a case where Hamas has earned its designation as a terrorist organization. Not only does it use terrorist means, but what are its objectives? They are stated very clearly. They are for the death or expulsion of every Jew from the Middle East. They refuse any change in that policy. So whether it is genocide or ethnic cleansing or more likely a combination of the two, these are the objectives of Hamas, being pursued by violent means. It is obviously the fault of the politicians of Hamas who seek these objectives that must be held responsible for the resulting carnage.

We need a sustainable, permanent cease-fire, not a 2-day resupply truce to allow Hamas to bring in more rockets.

Now, I think it's clear that this is not just a conflict between Israel and Hamas. It is a conflict between the Government of Iran and the people of the United States. The fighting in Gaza has demonstrated again that the ultimate adversary of the United States and its allies in the Middle East is the Government of Iran. Hamas is a terrorist organization seeking the destruction of Israel in favor of an Islamic Palestinian State, but it is also an Iranian proxy. As such, it is part of a regional war waged by the Iranian regime against the United States and its allies.

Many Hamas weapons are made in Iran, and many top Hamas military leaders and the experts who launch the missiles into Israel were trained in Iran. Iran also provides the group with significant funding. It is unlikely that Hamas would have been able to achieve its status as the premier Palestinian terrorist organization and thus provoke this crisis without Iranian backing.

Iran-backed Hamas, like Iran-backed Hezbollah, shoots rockets at Israeli civilians from deep inside their own densely populated civilian population, knowing that when Israel acts to defend itself innocent Palestinians will be among the victims.

Through Hamas, Hezbollah and its operatives in Iraq, Iran and its government are able to stir up crises in the Middle East, thus injuring American prestige while helping to achieve that government's own aims.

We know that Iran is working hard toward the possession of a nuclear bomb. This would allow Iran to act with impunity in the future. A nuclear Iran would go from provoking this crisis to that crisis, and we would have to go face-to-face with a nuclear power, each time hoping, hoping for the same results we saw in the Cuban missile crisis—that is to say, going eyeball-to-eyeball with a hostile nuclear power hoping we always have the same result, namely, some peaceful resolution.

□ (1500)

It only takes one crisis with a nuclear power that goes in the wrong direction to destroy an entire city or an entire country.

Furthermore, we should recognize that if the regime in Tehran ever finds itself on the verge of collapse—and many of us pray for that day—its leaders may decide to go out with a bang.

Preventing Iranian nuclear possession is critical to world peace, and we can still succeed in accomplishing that goal, but we have to act quickly. The good news is we have used only 1 percent of the tools that are available to us, and therefore we can do a lot more. The bad news is we've used only about 1 percent of the tools available to us. We have demonstrated a lack of political will to use the methods that we have to use to put pressure on the Iranian regime.

Now, President-elect Obama has a strong record of working to put pressure on the Iranian regime. He voted for the Lautenberg amendment, which would have prevented U.S. oil companies from doing business with Iran through their foreign subsidiaries. And he authored a bill that would have encouraged divestment from firms—chiefly oil companies—doing business with Iran.

He will have the ability, when he takes office, to go a long way toward increasing the price the Iranian Government pays for its stance on the nuclear issue and its support for terrorism. First, he can stop U.S. oil companies from using their overseas subsidiaries from doing business with Iran. We should also do that by legislation.

The administration can start enforcing the Iran Sanctions Act. We can demand that the World Bank stop dispersing funds to Iran in the form of concessionary loans which have not been effectively opposed by the current administration. We can deny nuclear cooperation agreements to countries that provide technologies to Iran. We can deny insurance to ships that carry cargo to Iran. And we can put economic pressure on American foreign companies seeking to build liquefied natural gas plants in Iran and those that sell refined petroleum—chiefly gasoline—to Iran.

Now, while Iran is oil rich, it needs to import nearly half its gasoline because it lacks refinery capacity. I'm here to bring to the House's attention one recent success. The Indian press is reporting that as a result of pressure that was initiated in the Congress, a major Indian petroleum refinery is halting its business dealings with Iran. I want to thank the several of my colleagues who joined with me in sending a letter to the U.S. Import-Export Bank to demand that EX-IM not provide loans to this particular Indian refinery as long as the Indian refinery was supporting Iran and providing it with the gasoline it needs.

I look forward to being able to convince Iranian elites that they face other economic and diplomatic isolation if they continue their nuclear program and continue their support for terror, and there are many other ways that we can achieve that objective. I

invite my colleagues again to see more details at [bradsherman.house.gov](http://bradsherman.house.gov).

#### SANCTITY OF HUMAN LIFE ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Georgia. Mr. Speaker, I believe that there is no greater moral issue that America faces that is more important than the killing of 4,000 babies every day through abortion. God cannot and will not continue to bless America while we're killing those innocent unborn children.

As we ring in the new year and begin the 111th Congress, the need to protect the unborn remains front and center in the national political debate. Each year, in keeping with my promise to my constituents and many around the country that the first bill that I will introduce provides constitutional protections to unborn children, today I'm honored to introduce the Sanctity of Human Life Act, H.R. 227, that defines life beginning at fertilization with the creation of a human zygote, a one-celled human being.

As a physician, I understand the medical and scientific truths that life begins at fertilization. I also understand that the entire abortion debate rests on the decision of when life begins. That's why my bill, among other things, says unequivocally that at the moment of fertilization, when this spermatozoa enters the cell wall of the oocyte and forms that one-celled human being, the zygote, that a human life begins and must be protected under law.

As James Madison wrote in Federalist 39, the form of our government must be "reconcilable with the fundamental principles of the revolution," the American Revolution. First among those principles is the right to life. If a nation will not protect the most innocent of human beings, who will we protect? Concerned citizens and lawmakers must keep this fundamental principle in mind as we work fervently to protect the rights of unborn children.

When I was a full-time doctor prior to coming to Congress, I served on the board of directors for a crisis pregnancy center in inner-city Atlanta, Georgia. We were fighting to save babies of underprivileged moms, many black moms in Atlanta. From a statistical standpoint, more black babies are being killed proportionately through abortion than white babies, and we were working to save those children.

I'm using the tools that my constituents have blessed me with to protect life and give constitutional protections to the innocent unborn. My bill, the Sanctity of Human Life Act, gives Republicans and Democrats alike who cherish life an opportunity to protect and defend the innocent and most defenseless among us.

We need to pass the Sanctity of Human Life Act. I encourage my col-

leagues to get on this bill, support this bill, bring it to the floor for a vote, and stop killing these unborn children so God will continue to bless America.

#### ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 24

*Resolved*, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON APPROPRIATIONS.—Mr. Murtha, Mr. Dicks, Mr. Mollohan, Ms. Kaptur, Mr. Visclosky, Mrs. Lowey, Mr. Serrano, Ms. DeLauro, Mr. Moran of Virginia, Mr. Olver, Mr. Pastor, Mr. Price of North Carolina, Mr. Edwards, Mr. Kennedy of Rhode Island, Mr. Hinchey, Ms. Roybal-Allard, Mr. Farr, Mr. Jackson of Illinois, Ms. Kilpatrick of Michigan, Mr. Boyd of Florida, Mr. Fattah, Mr. Rothman, Mr. Bishop of Georgia, Mr. Berry, Ms. Lee, Mr. Schiff, Mr. Honda, Ms. McCollum of Minnesota, Mr. Israel, Mr. Ryan of Ohio, Mr. Ruppersberger, Mr. Chandler, Ms. Wasserman Schultz, Mr. Rodriguez, Mr. Lincoln Davis of Tennessee, Mr. Salazar.

(2) COMMITTEE ON ARMED SERVICES.—Mr. Spratt, Mr. Ortiz, Mr. Taylor, Mr. Abercrombie, Mr. Reyes, Mr. Snyder, Mr. Smith of Washington, Ms. Loretta Sanchez of California, Mr. McIntyre, Mrs. Tauscher, Mr. Brady of Pennsylvania, Mr. Andrews, Mrs. Davis of California, Mr. Langevin, Mr. Larsen of Washington, Mr. Cooper, Mr. Marshall, Ms. Bordallo, Mr. Boren, Mr. Ellsworth, Mr. Patrick Murphy of Pennsylvania, Mr. Johnson of Georgia, Ms. Shea-Porter, Mr. Courtney, Mr. Loebsack, Mrs. Gillibrand, Mr. Sestak, Ms. Giffords, Ms. Tsongas, Mr. Nye, Ms. Pingree of Maine, Mr. Kissell, Mr. Heinrich, Mr. Kravotil, Mr. Massa, Mr. Bright.

(3) COMMITTEE ON ENERGY AND COMMERCE.—Mr. Dingell, Mr. Markey, Mr. Boucher, Mr. Pallone, Mr. Gordon of Tennessee, Mr. Rush, Ms. Eshoo, Mr. Stupak, Mr. Engel, Mr. Gene Green of Texas, Ms. DeGette, Mrs. Capps, Mr. Doyle, Ms. Harman, Ms. Schakowsky, Mr. Gonzalez, Mr. Inslee, Ms. Baldwin, Mr. Ross, Mr. Weiner, Mr. Matheson, Mr. Butterfield, Mr. Melancon, Mr. Barrow, Mr. Hill, Ms. Matsui, Mrs. Christensen, Ms. Castor, Mr. Sarbanes, Mr. Murphy of Connecticut, Mr. Space, Mr. McNERNEY, Ms. Sutton, Mr. Braley of Iowa, Mr. Welch.

(4) COMMITTEE ON FINANCIAL SERVICES.—Mr. Kanjorski, Ms. Waters, Mrs. Maloney, Mr. Gutierrez, Ms. Velazquez, Mr. Watt, Mr. Ackerman, Mr. Sherman, Mr. Meeks of New York, Mr. Moore of Kansas, Mr. Capuano, Mr. Hinojosa, Mr. Clay, Mrs. McCarthy of New York, Mr. Baca, Mr. Lynch, Mr. Miller of North Carolina, Mr. Scott of Georgia, Mr. Al Green of Texas, Mr. Cleaver, Ms. Bean, Mr. Moore of Kansas, Mr. Hodes, Mr. Ellison, Mr. Klein of Florida, Mr. Wilson of Ohio, Mr. Perlmutter, Mr. Donnelly of Indiana, Mr. Foster, Mr. Carson of Indiana, Ms. Speier, Mr. Childers, Mr. Minnick, Mr. Adler of New Jersey, Ms. Kilroy, Mr. Driehaus, Ms. Kosmas, Mr. Grayson, Mr. Himes, Mr. Peters, Mr. Maffei.

(5) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. Rahall, Mr. DeFazio, Mr. Costello, Ms. Norton, Mr. Nadler of New

York, Ms. Corrine Brown of Florida, Mr. Filner, Ms. Eddie Bernice Johnson of Texas, Mr. Taylor, Mr. Cummings, Mrs. Tauscher, Mr. Boswell, Mr. Holden, Mr. Baird, Mr. Larsen of Washington, Mr. Capuano, Mr. Bishop of Utah, Mr. Michaud, Mr. Carnahan, Mrs. Napolitano, Mr. Lipinski, Ms. Hirono, Mr. Altmire, Mr. Walz, Mr. Shuler, Mr. Arcuri, Mr. Mitchell, Mr. Carney, Mr. Hall of New York, Mr. Kagen, Mr. Cohen, Ms. Richardson, Mr. Sires, Ms. Edwards of Maryland, Mr. Ortiz, Mr. Hare, Mr. Boccieri, Mr. Schauer, Ms. Markey of Colorado, Mr. Griffith, Mr. McMahon, Mr. Perriello, Ms. Titus, Mr. Teague.

(6) COMMITTEE ON WAYS AND MEANS.—Mr. Stark, Mr. Levin, Mr. McDermott, Mr. Lewis of Georgia, Mr. Neal of Massachusetts, Mr. Tanner, Mr. Becerra, Mr. Doggett, Mr. Pomeroy, Mr. Thompson of California, Mr. Larson of Connecticut, Mr. Blumenauer, Mr. Kind, Mr. Pascrell, Ms. Berkley, Mr. Crowley, Mr. Van Hollen, Mr. Meek of Florida, Ms. Schwartz of Pennsylvania, Mr. Davis of Alabama, Mr. Davis of Illinois, Mr. Etheridge, Ms. Linda T. Sanchez of California, Mr. Higgins, Mr. Yarmuth.

Mr. LARSON of Connecticut (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### IN SUPPORT OF ISRAEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ENGEL) is recognized for 5 minutes.

Mr. ENGEL. Mr. Speaker, I rise this afternoon in support of the beleaguered people of the State of Israel. I rise in support of the only democracy in the Middle East. I rise in support of the country in the Middle East that has the same values that our great country, the United States of America, has, principles of democracy and principles that are so important to every man, woman and child.

The people of Israel have for 60 years been vilified by undemocratic powers and by powers that would wish to destroy it. For the past several years, day in and day out the people of Israel have had to endure rocket attacks coming from the terrorist organization that runs Gaza called Hamas. Israel is supposed to just accept these attacks on its citizens and do little or nothing about it if you would listen to the United Nations, if you would listen to the international community, if you would listen to these hypocritical demonstrations going on in London and all the Arab capitals and everywhere else, and even some in the United States.

Every country, every government's primary responsibility is to protect its citizens, and the people of Israel and the Government of Israel should not be held to any other standard than that.

The terrorist organization that runs Gaza called Hamas, bought and paid for

by Iran, thinking that it can use terrorism as a way of somehow getting its state, must understand that in order to gain acceptance of nations in the free world, that it needs to renounce terror, that it needs to recognize Israel's right to exist, and that it needs to abide by all previous resolutions that were signed by the Palestinian Authority. It doesn't do it because it's a terrorist state. It doesn't do it because its vow is to destroy the Jewish State of Israel. It doesn't do it because, like Hezbollah and like Osama bin Laden and like al Qaeda, it thinks it can use terrorism to establish its aims and goals, but it cannot.

We stand in a bipartisan fashion with the people of Israel because if we in the United States had missiles being fired onto our innocent civilians from states across the border, we would move across the border and try to stop those terrorists from killing our people. That's what Israel is doing.

Many of us on the Foreign Affairs Committee this morning met with the Israeli ambassador and we saw a tape where Israel takes great precaution to try to prevent civilian casualties. But what Hamas does is it builds its bomb factories and it builds its terror weapons in the heart of the densely populated areas of Gaza and uses its own people as human shields. And so when the Israelis destroy these missile-making and bomb-making terror factories, innocent civilians very unfortunately get killed. But it is the Palestinians that support Hamas. It's the Hamas organization that is responsible for these killings. Israel has an absolute right to defend itself.

Now, we all want a cease-fire. We all want peace in the region. And we all know that ultimately peace will come when there is a two-state solution, an Israeli Jewish state and a Palestinian Arab state. The problem is most Israelis do accept the fact that there ought to be a Palestinian state, but the Palestinians, Hamas, does not accept the viability of Israel as a Jewish state.

And so let's put things in perspective here. If you have people that want to destroy you and want to kill you and don't recognize your right to exist, how can we have peace in the region?

We ought to note that Israel pulled out of Gaza several years ago and left Gaza to the Palestinians. And what did it get in return? It got missiles fired on its citizens in Syrot and other places in return for Israel leaving Gaza. The Palestinians used to say, well, it's the occupation, that's what drives everything. What occupation is there in Gaza? There is none. Israel has left Gaza. And the people of Gaza could have built a democratic government living in peace with its neighbors; instead, they chose to embrace terrorism and try to kill as many Israelis as they can.

So, in conclusion, Mr. Speaker, let me say that support for Israel in this Congress is strong and it is bipartisan

and will remain so because we understand that the democratic nation of Israel has a right to exist, and the government of Israel has a right to protect its citizens.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,  
OFFICE OF THE GENERAL COUNSEL,  
Washington, DC, January 6, 2009.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena, issued by the Superior Court for the District of Columbia, for the production of documents.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

DANIEL P. BEARD,  
Chief Administrative Officer.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BOUCHER (at the request of Mr. HOYER) for January 6 after 3:30 p.m. on account of family illness.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SHERMAN) to revise and extend their remarks and include extraneous material:)

Mr. LANGEVIN, for 5 minutes, today.

Mr. ENGEL, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, January 14.

Mr. FRANKS of Arizona, for 5 minutes, January 8.

Mr. JONES, for 5 minutes, January 14.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. KENNEDY, for 5 minutes, today.

Mr. ROGERS of Alabama, for 5 minutes, today.

Mr. WOLF, for 5 minutes, today.

#### ADJOURNMENT

Mr. ENGEL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 14 minutes

p.m.), the House adjourned until tomorrow, Thursday, January 8, 2009, at 10 a.m.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Cattle from Mexico; Addition of Port at San Luis, AZ [Docket No.: APHIS-2007-0095] (RIN: 0579-AC63) received January 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7. A letter from the Secretary, Department of the Navy, transmitting notification of an increase in the Average Procurement Unit Cost (APUC) for the H-1 Upgrades Program that exceeds the current Unit Cost Report (UCR) baseline estimate by at least 15 percent, pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

8. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's report and recommendations pursuant to Section 133 of the Emergency Economic Stabilization Act of 2008; to the Committee on Financial Services.

9. A letter from the Acting Assistant Secretary Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's Annual Report on Federal Government Energy Management and Conservation Programs during Fiscal Year 2006, pursuant to 42 U.S.C. 6361(c); to the Committee on Energy and Commerce.

10. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

11. A letter from the Assistant Secretary Legislative Affairs, Department of State, transmitting weekly reports relating to post-liberation Iraq under Section 7 of the Iraq Liberation Act of 1998, Pub. L. 105-338 for the reporting period of October 15, 2008 through December 15, 2008; to the Committee on Foreign Affairs.

12. A letter from the Assistant Administrator, Environmental Protection Agency, transmitting the Agency's 2008 competitive sourcing report, pursuant to Public Law 108-199, section 647(b); to the Committee on Oversight and Government Reform.

13. A letter from the Postal Regulatory Commission, Postal Regulatory Commission, transmitting the Commission's Report on Universal Postal Service and the Postal Monopoly; to the Committee on Oversight and Government Reform.

14. A letter from the Acting Administrator, Small Business Administration, transmitting the Administration's report on competitive sourcing for fiscal year 2008, pursuant to Public Law 108-199, section 647(b); to the Committee on Oversight and Government Reform.

15. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule — Repeal of Increased Contribution and Coordinated Party Expenditures Limits for Candidates Opposing Self-financed Candidates received January 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

16. A letter from the General Counsel, Office of Justice Programs, Department of Justice, transmitting the Department's final rule — Public Safety Officers' Benefits Program [Docket No.: OJP (BJA) 1468] (RIN:

1121-AA75) received January 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

17. A letter from the Office of Public Information, Supreme Court of the United States, transmitting a copy of the embargoed 2008 Year-End Report on the Federal Judiciary; to the Committee on the Judiciary.

18. A letter from the Assistant Chief Counsel for General Law, Department of Transportation, transmitting the Department's final rule — Pipeline Safety: Polyamide-11 (PA-11) Plastic Pipe Design Pressures [Docket No. PHMSA-2005-21305] (RIN: 2137-AE26) received January 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

19. A letter from the Division Chief, Division of Legislation and Regulations, Department of Transportation, transmitting the Department's final rule — America's Marine Highway Program [Docket No.: MARAD-2008 0096] (RIN: 2133-AB70) received January 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

20. A letter from the Trail Attorney, Federal Railroad Administration, transmitting the Administration's final rule — Adjustment of Monetary Threshold for Reporting Rail Equipment Accidents/Incidents for Calendar Year 2009 [FRA-2008-0136] received January 5, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MILLER of North Carolina (for himself, Ms. LINDA T. SANCHEZ of California, Mr. FRANK of Massachusetts, Mr. WATT, Mr. ELLISON, Ms. LEE of California, Mr. COURTNEY, Mr. BLUMENAUER, Mrs. CHRISTENSEN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BUTTERFIELD, Mr. GRIJALVA, Ms. JACKSON-LEE of Texas, Mr. SIRE, Mr. CAPUANO, Mr. HINCHEY, Mr. GEORGE MILLER of California, Mr. STARK, Mr. JOHNSON of Georgia, Mr. DAVIS of Alabama, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. COHEN, Ms. EDWARDS of Maryland, and Mr. LEWIS of Georgia):

H.R. 225. A bill to amend title 11 of the United States Code with respect to modification of certain mortgages on principal residences, and for other purposes; to the Committee on the Judiciary.

By Mr. PENCE (for himself, Mr. WALDEN, Mr. UPTON, Mr. BOEHNER, Mr. CANTOR, Mr. MCCARTHY of California, Mr. MCCOTTER, Mrs. McMORRIS RODGERS, Mr. SESSIONS, Mr. DREIER, Mr. CARTER, Mr. PRICE of Georgia, Mr. HENSARLING, Mr. ADERHOLT, Mr. AKIN, Mr. ALEXANDER, Mr. AUSTRIA, Mr. BACHUS, Mr. BARTLETT, Mr. BARTON of Texas, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BLUNT, Mr. BONNER, Mrs. BONO MACK, Mr. BOOZMAN, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BROWN of Georgia, Ms. GINNY BROWN-WAITE of Florida, Mr. BUCHANAN, Mr. BURGESS, Mr. BURTON of Indiana, Mr. CALVERT, Mr. CAMP, Mr. CAMPBELL, Mr. CHAFFETZ, Mr. COBLE, Mr. COLE, Mr. CONAWAY, Mr. CRENSHAW, Mr. CULBERSON, Mr. DAVIS of Kentucky, Mr. DEAL of Georgia, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Ms. FALLIN,

Mr. FLAKE, Mr. FORBES, Ms. FOX, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GARRETT of New Jersey, Mr. GERLACH, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. GOODLATTE, Ms. GRANGER, Mr. GRAVES, Mr. GUTHRIE, Mr. HALL of Texas, Mr. HASTINGS of Washington, Mr. HELLER, Mr. HERGER, Mr. HOEKSTRA, Mr. HUNTER, Mr. INGLIS, Mr. SAM JOHNSON of Texas, Mr. JOHNSON of Illinois, Mr. JONES, Mr. JORDAN of Ohio, Mr. KINGSTON, Mr. KIRK, Mr. KLINE of Minnesota, Mr. LAMBORN, Mr. LATTI, Mr. LEWIS of California, Mr. LINDER, Mr. LOBIONDO, Mr. LUCAS, Ms. LUMMIS, Mr. DANIEL E. LUNGREN of California, Mr. MACK, Mr. MANZULLO, Mr. MARCHANT, Mr. MCCAUL, Mr. MCCLINTOCK, Mr. MCHENRY, Mr. MCHUGH, Mr. MCKEON, Mr. MICA, Mr. MILLER of Florida, Mrs. MILLER of Michigan, Mr. MORAN of Kansas, Mr. TIM MURPHY of Pennsylvania, Mr. PAUL, Mr. PETRI, Mr. PITTS, Mr. PLATTS, Mr. POSEY, Mr. PUTNAM, Mr. REBERG, Mr. REICHERT, Mr. ROYCE, Mr. ROHRBACHER, Mr. SCALISE, Mrs. SCHMIDT, Mr. SCHOCK, Mr. SENSENBRENNER, Mr. SHADEGG, Mr. SHIMKUS, Mr. SHUSTER, Mr. SIMPSON, Mr. SMITH of Nebraska, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SOUDER, Mr. STEARNS, Mr. SULLIVAN, Mr. TERRY, Mr. THOMPSON of California, Mr. TIAHRT, Mr. TIBERI, Mr. WAMP, Mr. WESTMORELAND, Mr. WILSON of South Carolina, and Mr. WOLF):

H.R. 226. A bill to prevent the Federal Communications Commission from repromulgating the fairness doctrine; to the Committee on Energy and Commerce.

By Mr. BROWN of Georgia (for himself, Mr. DEAL of Georgia, Mr. LINDER, Mr. GINGREY of Georgia, Mr. WESTMORELAND, Mr. KINGSTON, Mr. FLEMING, Mr. LUCAS, Mr. ALEXANDER, Mr. MCHENRY, Mr. BURTON of Indiana, Mr. LAMBORN, Ms. FALLIN, Mr. HERGER, Mr. JONES, Mr. TERRY, Mr. FRANKS of Arizona, Mr. CARTER, Mr. SAM JOHNSON of Texas, Mr. INGLIS, Mr. FORBES, Mr. HUNTER, Mr. WITTMAN, Mr. HENSARLING, Mr. WAMP, Mr. AKIN, Mr. KLINE of Minnesota, Mr. KING of Iowa, Mr. MANZULLO, Mr. BISHOP of Utah, Mrs. SCHMIDT, Mr. WILSON of South Carolina, Mr. BOOZMAN, Mr. NEUGEBAUER, Mr. ROGERS of Alabama, Mr. ROGERS of Kentucky, Mr. CONAWAY, Mr. MILLER of Florida, Mr. TIAHRT, Mr. BARRETT of South Carolina, Mr. RYAN of Wisconsin, Mr. EHLERS, Mr. BARTLETT, Mr. SCHOCK, Mr. GARRETT of New Jersey, Mr. ADERHOLT, Mr. ROONEY, and Mr. LATTI):

H.R. 227. A bill to provide that human life shall be deemed to begin with fertilization; to the Committee on the Judiciary.

By Ms. JACKSON-LEE of Texas:

H.R. 228. A bill to direct the Secretary of Veterans Affairs to establish a scholarship program for students seeking a degree or certificate in the areas of visual impairment and orientation and mobility; to the Committee on Veterans' Affairs.

By Mr. RYAN of Ohio (for himself and Ms. SUTTON):

H.R. 229. A bill to provide for the retention of the name of Mount McKinley; to the Committee on Natural Resources.

By Mr. CARDOZA:

H.R. 230. A bill to prevent foreclosure of home mortgages and increase the availability of affordable new mortgages; to the Committee on Financial Services.

By Mr. BACA (for himself and Mr. WOLF):

H.R. 231. A bill to require certain warning labels to be placed on video games that are given certain ratings due to violent content; to the Committee on Energy and Commerce.

By Ms. BALDWIN (for herself, Mr. INSLEE, Mr. HOLT, and Ms. LEE of California):

H.R. 232. A bill to provide for the creation of a Federal greenhouse gas registry, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BALDWIN (for herself, Mr. POMEROY, Mr. ALEXANDER, and Mr. WALZ):

H.R. 233. A bill to amend the Federal anti-trust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BERKLEY:

H.R. 234. A bill to provide for the conveyance of the Alta-Hualapai Site to the Nevada Cancer Institute, and for other purposes; to the Committee on Natural Resources.

By Mr. BERMAN (for himself, Mr. MCKEON, Mr. GRIJALVA, Mr. CHANDLER, Mr. SIRE, Mrs. CAPPS, Mr. ENGEL, Ms. DEGETTE, Mr. VAN HOLLEN, Mr. JOHNSON of Georgia, Mr. KLEIN of Florida, Mr. WAXMAN, Mr. SHERMAN, Mr. PALLONE, Mr. RODRIGUEZ, Ms. LINDA T. SANCHEZ of California, Mr. KENNEDY, Mr. FILNER, Mr. TIERNEY, Ms. WOOLSEY, Mr. REYES, Mr. MELANCON, Mr. RUPPERSBERGER, Mr. LEWIS of Georgia, Mr. FARR, Mr. BURTON of Indiana, Ms. HIRONO, Mr. ROTHMAN of New Jersey, Mr. SPACE, Ms. MCCOLLUM, Mrs. BIGGERT, Mr. PETRI, Ms. BORDALLO, Ms. SCHWARTZ, Mr. LARSON of Connecticut, Mr. CARNAHAN, Mr. MCCAUL, Mr. HOLT, Mr. CAPUANO, Mr. MICHAUD, Mr. MOORE of Kansas, Mr. HINCHAY, Mr. BROWN of South Carolina, Ms. SUTTON, Mr. KAGEN, Mr. MCCOTTER, Ms. SCHAKOWSKY, Mr. WILSON of South Carolina, Mr. ORTIZ, Mr. STARK, Mr. GEORGE MILLER of California, Mr. BACHUS, Mr. GALLEGLY, Mr. HELLER, Mr. DOGGETT, Mr. SCHIFF, Mr. HONDA, Mrs. TAUSCHER, Mr. BACA, Mr. YOUNG of Florida, Mr. GENE GREEN of Texas, Ms. CORRINE BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PAUL, Mr. WELCH, Mr. CARNEY, Mr. BILBRAY, Mr. BOUSTANY, Mr. WU, Mr. CUELLAR, Mr. MATHESON, Ms. ZOE LOFGREN of California, Ms. BERKLEY, Ms. DELAULO, Mr. PATRICK MURPHY of Pennsylvania, Ms. HARMAN, Mr. VISCLOSKEY, Mr. ACKERMAN, Mr. KUCINICH, Mr. FORBES, Mr. LANGEVIN, and Mr. MURPHY of Connecticut):

H.R. 235. A bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions; to the Committee on Ways and Means.

By Ms. GINNY BROWN-WAITE of Florida:

H.R. 236. A bill to amend the Congressional Budget Act of 1974 to protect Social Security beneficiaries against any reduction in benefits; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. EMERSON:

H.R. 237. A bill to amend the Internal Revenue Code of 1986 to allow a refundable credit to military retirees for premiums paid for coverage under Medicare Part B; to the Committee on Ways and Means.

By Mrs. EMERSON:

H.R. 238. A bill to amend title II of the Social Security Act to provide for an improved benefit computation formula for workers affected by the changes in benefit computation rules enacted in the Social Security Amendments of 1977 who attain age 65 during the 10-year period after 1981 and before 1992 (and related beneficiaries) and to provide prospectively for increases in their benefits accordingly; to the Committee on Ways and Means.

By Mr. ENGEL (for himself and Mr. PAUL):

H.R. 239. A bill to impose requirements with regard to border searches of digital electronic devices and digital storage media, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARRETT of New Jersey:

H.R. 240. A bill to amend the Internal Revenue Code of 1986 to repeal the alternative minimum tax on individuals; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas:

H.R. 241. A bill to amend title 10, United States Code, to require the amounts reimbursed to institutional providers of health care services under the TRICARE program to be the same as amounts reimbursed under Medicare, and to require the Secretary of Defense to contract for health care services with at least one teaching hospital in urban areas; to the Committee on Armed Services.

By Mr. GENE GREEN of Texas:

H.R. 242. A bill to direct the Secretary of Labor to revise regulations concerning the recording and reporting of occupational injuries and illnesses under the Occupational Safety and Health Act of 1970; to the Committee on Education and Labor.

By Mr. GENE GREEN of Texas:

H.R. 243. A bill to amend the National Labor Relations Act to require the arbitration of initial contract negotiation disputes, and for other purposes; to the Committee on Education and Labor.

By Mr. GENE GREEN of Texas:

H.R. 244. A bill to provide for the security of critical energy infrastructure; to the Committee on Energy and Commerce.

By Mr. GENE GREEN of Texas:

H.R. 245. A bill to preserve local radio broadcast emergency and other services and to require the Federal Communications Commission to conduct a rulemaking for that purpose; to the Committee on Energy and Commerce.

By Mr. GENE GREEN of Texas:

H.R. 246. A bill to amend the Immigration and Nationality Act to exempt elementary and secondary schools from the fee imposed on employers filing petitions with respect to non-immigration workers under the H-1B program; to the Committee on the Judiciary.

By Mr. GENE GREEN of Texas:

H.R. 247. A bill to amend section 1369 of title 18, United States Code, to extend Federal jurisdiction over destruction of veterans' memorials on State or local government property; to the Committee on the Judiciary.

By Mr. GENE GREEN of Texas:

H.R. 248. A bill to provide Capitol-flown flags to the families of deceased law enforcement officers; to the Committee on the Judiciary.

By Mr. GENE GREEN of Texas:

H.R. 249. A bill to direct the head of a Federal department or agency that is carrying

out a project involving the construction of a culvert or other enclosed flood or drainage system to ensure that certain child safety measures are included in the project; to the Committee on Oversight and Government Reform.

By Mr. GENE GREEN of Texas:

H.R. 250. A bill to require the Surface Transportation Board to consider certain issues when deciding whether to authorize the construction of a railroad line; to the Committee on Transportation and Infrastructure.

By Mr. GENE GREEN of Texas:

H.R. 251. A bill to prevent the nondisclosure of employer-owned life insurance coverage of employees as an unfair trade practice under the Federal Trade Commission Act, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GENE GREEN of Texas:

H.R. 252. A bill to provide that no more than 50 percent of funding made available under the Low-Income Home Energy Assistance Act of 1981 for any fiscal year be provided for home heating purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Florida (for himself, Ms. MATSUI, and Ms. CORRINE BROWN of Florida):

H.R. 253. A bill to direct the Election Assistance Commission to make grants to States to carry out election administration improvement plans; to the Committee on House Administration.

By Mr. ISRAEL:

H.R. 254. A bill to change the date for regularly scheduled Federal elections and establish polling place hours; to the Committee on House Administration.

By Ms. JACKSON-LEE of Texas (for herself, Mr. CULBERSON, and Mr. CUELLAR):

H.R. 255. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration; to the Committee on Financial Services.

By Ms. JACKSON-LEE of Texas:

H.R. 256. A bill to enhance Federal enforcement of hate crimes, and for other purposes; to the Committee on the Judiciary.

By Ms. JACKSON-LEE of Texas:

H.R. 257. A bill to prevent children's access to firearms; to the Committee on the Judiciary.

By Ms. JACKSON-LEE of Texas:

H.R. 258. A bill to prevent the President from encroaching upon the Congressional prerogative to make laws, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. JACKSON-LEE of Texas:

H.R. 259. A bill to amend title 23, United States Code, to establish national standards for State safety inspections of motor vehicles, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. JACKSON-LEE of Texas:

H.R. 260. A bill to authorize the Secretary of Energy to make loan guarantees for cellulosic ethanol production technology development; to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas (for herself and Mr. THOMPSON of Mississippi):

H.R. 261. A bill to provide that no Federal funds may be used by the Secretary of Homeland Security to approve a site security plan for a chemical facility, unless the facility meets or exceeds security standards and requirements to protect the facility against acts of terrorism established for such a facility by the State or local government for the area where the facility is located, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 262. A bill to prevent hate crimes, to provide support services for victims of hate crimes, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Energy and Commerce, Education and Labor, Oversight and Government Reform, House Administration, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 263. A bill to amend title 28, United States Code, to grant to the House of Representatives the authority to bring a civil action to enforce, secure a declaratory judgment concerning the validity of, or prevent a threatened refusal or failure to comply with any subpoena or order issued by the House or any committee or subcommittee of the House to secure the production of documents, the answering of any deposition or interrogatory, or the securing of testimony, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 264. A bill to amend the Immigration and Nationality Act to comprehensively reform immigration law, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 265. A bill to target cocaine kingpins and address sentencing disparity between crack and powder cocaine; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas:

H.R. 266. A bill to authorize the Secretary of Homeland Security to establish a program to award grants to institutions of higher education for the establishment or expansion of cybersecurity professional development programs, and for other purposes; to the Committee on Science and Technology, and in addition to the Committees on Education and Labor, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of

such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 267. A bill to amend the Internal Revenue Code of 1986 to expand the availability of the Internal Revenue Service's Taxpayer Assistance Centers; to the Committee on Ways and Means.

By Mr. JONES:

H.R. 268. A bill to amend title 10, United States Code, to ensure that every military chaplain has the prerogative to close a prayer outside of a religious service according to the dictates of the chaplain's own conscience; to the Committee on Armed Services.

By Mr. JONES:

H.R. 269. A bill to require the Department of Defense to grant access to accredited members of the media when the remains of members of the Armed Forces arrive at military installations in the United States; to the Committee on Armed Services.

By Mr. LATTA:

H.R. 270. A bill to amend title 10, United States Code, to provide for continuity of TRICARE Standard coverage for certain members of the Retired Reserve; to the Committee on Armed Services.

By Mr. LATTA:

H.R. 271. A bill to amend the Internal Revenue Code of 1986 to increase the standard charitable mileage rate for delivery of meals to elderly, disabled, frail and at risk individuals; to the Committee on Ways and Means.

By Mr. MEEK of Florida (for himself and Mr. CANTOR):

H.R. 272. A bill to amend the Internal Revenue Code of 1986 to provide incentives to encourage investment in the expansion of freight rail infrastructure capacity and to enhance modal tax equity; to the Committee on Ways and Means.

By Mr. MEEK of Florida (for himself, Mr. TIBERI, Ms. BERKLEY, and Mr. HERGER):

H.R. 273. A bill to amend the Internal Revenue Code of 1986 to modify the treatment of qualified restaurant property as 15-year property for purposes of the depreciation deduction; to the Committee on Ways and Means.

By Mr. WITTMAN:

H.R. 274. A bill to impose certain limitations on the receipt of out-of-State municipal solid waste, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MEEK of Florida (for himself and Mr. HERGER):

H.R. 275. A bill to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities; to the Committee on Ways and Means.

By Mrs. MILLER of Michigan:

H.R. 276. A bill to direct the Administrator of the Environmental Protection Agency to convene a task force to develop recommendations on the proper disposal of unused pharmaceuticals, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MILLER of North Carolina (for himself, Mr. CONYERS, and Ms. LEE of California):

H.R. 277. A bill to provide an alternate procedure for the prosecution of certain criminal contempts referred for prosecution by the House of Representatives, and for other purposes; to the Committee on the Judiciary.

By Mr. MILLER of North Carolina:

H.R. 278. A bill to ensure that Congress is notified when the Department of Justice determines that the Executive Branch is not bound by a statute; to the Committee on the Judiciary.

By Mr. ORTIZ (for himself and Mr. GONZALEZ):

H.R. 279. A bill to amend the Palo Alto Battlefield National Historic Site Act of 1991 to designate the historic site as the Palo Alto Battlefield National Historical Park, to expand the boundaries of the park, and for other purposes; to the Committee on Natural Resources.

By Mr. PASCRELL:

H.R. 280. A bill to establish the Paterson Great Falls National Historical Park, and for other purposes; to the Committee on Natural Resources.

By Mr. ROSKAM:

H.R. 281. A bill to authorize the Securities and Exchange Commission to permit or require persons filing or furnishing information under the securities laws to make such information available on internet websites, in addition to or instead of including such information in filings with or submissions to the Commission, under such conditions as the Commission may specify by rule; to the Committee on Financial Services.

By Mr. SESTAK:

H.R. 282. A bill to prevent Members of Congress from receiving any automatic pay adjustment in 2010; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SPACE (for himself, Mr. RYAN of Ohio, Mr. WILSON of Ohio, Mrs. SCHMIDT, Mr. KUCINICH, and Ms. SUTTON):

H.R. 283. A bill to modify the boundary of the Hopewell Culture National Historical Park in the State of Ohio, and for other purposes; to the Committee on Natural Resources.

By Mr. SPRATT:

H.R. 284. A bill to direct the Secretary of the Interior to complete a special resource study of the site of the Battle of Camden, and for other purposes; to the Committee on Natural Resources.

By Mr. THOMPSON of California (for himself, Ms. WOOLSEY, and Mrs. TAUSCHER):

H.R. 285. A bill to authorize the Secretary of the Interior to create a Bureau of Reclamation partnership with the North Bay Water Reuse Authority and other regional partners to achieve objectives relating to water supply, water quality, and environmental restoration; to the Committee on Natural Resources.

By Mr. TURNER (for himself, Mr. RYAN of Ohio, and Mr. AUSTRIA):

H.R. 286. A bill to amend the Dayton Aviation Heritage Preservation Act of 1992 to add sites to the Dayton Aviation Heritage National Historical Park, and for other purposes; to the Committee on Natural Resources.

By Mrs. EMERSON:

H.J. Res. 6. A joint resolution proposing an amendment to the Constitution of the United States relating to voluntary school prayer; to the Committee on the Judiciary.

By Mrs. EMERSON:

H.J. Res. 7. A joint resolution proposing an amendment to the Constitution to provide for a balanced budget for the United States Government and for greater accountability in the enactment of tax legislation; to the Committee on the Judiciary.

By Mrs. EMERSON (for herself and Mr. BACHUS):

H.J. Res. 8. A joint resolution proposing an amendment to the Constitution of the United States authorizing the Congress and the States to prohibit the act of desecration of the flag of the United States and to set criminal penalties for that act; to the Committee on the Judiciary.



By Mr. GENE GREEN of Texas:

H.J. Res. 9. A joint resolution proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Ms. JACKSON-LEE of Texas:

H.J. Res. 10. A joint resolution denouncing the practices of female genital mutilation, domestic violence, "honor" killings, acid burnings, dowry deaths, and other gender-based persecutions, expressing the sense of Congress that participation, protection, recognition, and equality of women is crucial to achieving a just, moral and peaceful society, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. MILLER of Michigan:

H.J. Res. 11. A joint resolution proposing an amendment to the Constitution of the United States to provide that Representatives shall be apportioned among the several States according to their respective numbers, counting the number of persons in each State who are citizens of the United States; to the Committee on the Judiciary.

By Mrs. EMERSON:

H. Con. Res. 4. Concurrent resolution expressing the sense of Congress regarding the need to prevent the closure or consolidation of post offices; to the Committee on Oversight and Government Reform.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 5. Concurrent resolution expressing that Congress has the sole and exclusive power to declare war; to the Committee on Foreign Affairs.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 6. Concurrent resolution expressing the sense of Congress that the Government of Iraq should not grant blanket amnesty to persons known to have attacked, killed, or wounded members of the United States Armed Forces in Iraq; to the Committee on Foreign Affairs.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 7. Concurrent resolution expressing the sense of Congress that the people of the United States should grieve for the loss of life that defined the Third Reich and celebrate the continued education efforts for tolerance and justice, reaffirming the commitment of the United States to the fight against intolerance and prejudice in any form, and honoring the legacy of transparent procedure, government accountability, the rule of law, the pursuit of justice, and the struggle for universal freedom and human rights; to the Committee on Foreign Affairs.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 8. Concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued honoring Barbara Charline Jordan; to the Committee on Oversight and Government Reform.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 9. Concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of George Thomas "Mickey" Leland; to the Committee on Oversight and Government Reform.

By Ms. JACKSON-LEE of Texas:

H. Con. Res. 10. Concurrent resolution supporting the observance of World Stroke Awareness Day, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOYER:

H. Res. 23. A resolution providing for the attendance of the House at the Inaugural Ceremonies of the President and Vice President of the United States; considered and agreed to.

By Mr. LARSON of Connecticut:

H. Res. 24. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. GENE GREEN of Texas:

H. Res. 25. A resolution expressing the support of the House of Representatives for the goals and ideals of National Internet Safety Month; to the Committee on Energy and Commerce.

By Mr. GENE GREEN of Texas:

H. Res. 26. A resolution expressing the sense of the House of Representatives that the United States Postal Service should issue a postage stamp commemorating Juan Nepomuceno Seguin; to the Committee on Oversight and Government Reform.

By Mr. GENE GREEN of Texas:

H. Res. 27. A resolution honoring the accomplishments and legacy of Juan Nepomuceno Seguin; to the Committee on Oversight and Government Reform.

By Ms. JACKSON-LEE of Texas:

H. Res. 28. A resolution expressing the sense of the House of Representatives that the Transportation Security Administration should, in accordance with the congressional mandate provided for in the Implementing Recommendations of the 9/11 Commission Act of 2007, enhance security against terrorist attack and other security threats to our Nation's rail and mass transit lines; to the Committee on Homeland Security.

By Mr. LATTA:

H. Res. 29. A resolution expressing the sense of the House of Representatives that any comprehensive plan to reform our national energy policy must promote the expanded use of renewable and alternative energy sources; increase our domestic refining capacity; promote conservation and increased energy efficiency; expand research and development, including domestic exploration; and, enhance consumer education; to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTA:

H. Res. 30. A resolution expressing the sense of the House of Representatives that in order to continue aggressive growth in our Nation's telecommunications and technology industries, the United States Government should "Get Out of the Way and Stay Out of the Way"; to the Committee on En-

ergy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of North Carolina (for himself and Mr. STEARNS):

H. Res. 31. A resolution expressing support for designation of January 28, 2009, as "National Data Privacy Day"; to the Committee on Energy and Commerce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. GENE GREEN of Texas introduced a bill (H.R. 287) for relief of Enrique Soriano and Areli Soriano; which was referred to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 16: Mrs. BLACKBURN, Mr. HALL of Texas, Mr. GENE GREEN of Texas, and Mr. GORDON of Tennessee.

H.R. 31: Mr. SKELTON, Mr. WATT, Ms. CLARKE, and Mr. TIERNEY.

H.R. 72: Ms. WATSON.

H.R. 81: Mr. PALLONE and Mr. KING of New York.

H.R. 104: Mr. GUTIERREZ, Mr. SCOTT of Virginia, Mr. BOUCHER, Ms. BALDWIN, and Ms. WASSERMAN SCHULTZ.

H.R. 109: Ms. GINNY BROWN-WAITE of Florida.

H.R. 111: Mr. COURTNEY, Mr. BRADY of Texas, Mr. SMITH of New Jersey, Mr. KUCINICH, and Mrs. MILLER of Michigan.

H.R. 124: Mr. ROHRABACHER, Mr. POE of Texas, Mr. BLUNT, Mr. ROYCE, Mr. BILBRAY, Mr. MCCAUL, and Mr. MCCOTTER.

H.R. 137: Mr. CAMPBELL.

H.R. 138: Mr. ROHRABACHER, Mr. POE of Texas, Mr. ROYCE, Mr. BILBRAY, Mr. MCCAUL, and Mr. MCCOTTER.

H.R. 140: Mr. CAMPBELL and Mr. ROHRABACHER.

H.R. 143: Mr. BURGESS and Mr. WOLF.

H.R. 144: Mr. FATTAH, Mr. CAPUANO, and Mr. MORAN of Virginia.

H.R. 146: Mr. FALCOMA-VAEGA.

H.R. 156: Mr. KIND, Mr. LEE of New York, Mr. PERRIELLO, Mr. MASSA, Mr. DONNELLY of Indiana, and Mrs. BLACKBURN.

H. Res. 18: Mr. GRJALVA.

H. Res. 20: Mr. FORTENBERRY, Mr. SMITH of New Jersey, and Mr. MCCOTTER.

## PETITIONS, ETC.

Under clause 3 of rule XII,

1. The SPEAKER presented a petition of Platte County, relative to a resolution supporting the NCLB Recess Until Reauthorization Act; which was referred to the Committee on Education and Labor.